National Anti-Slavery Standard.

SYDNEY HOWARD GAY, Editor. Without Concealment....Without Compromise. EDMUND QUINCY, JAMES RUSSELL LOWELL, } Corresponding Editors.

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Selections.

From the John O'Groat Journal.

THE FUGITIVE SLAVE BILL.

This iniquitous measure, which was passed during the last session of the United States Congress, out of respect to the Slavery prejudices of the southern States, is causing terrible excitement beyond the Atlantic. Its object—at best a most inhuman one—is to compel the judges, local authorities, and people of the free States, to assist the owners of runaway negroes to recover "their property." By this obnoxious bill the owners of such are empowered to reclaim the fugitive slaves, no matter how long they may have eluded their iron grasp. They are again, at the end of twenty, thirty, or forty years, as the case may be, as legally the property of their cruel-hearted oppressor as they were the day on which they escaped. Nay, more, their children, and their children's children, who may have been born in freedom, and never knew any of the horrid cruelties of Slavery, are liable, under this law, to be carried into bondage, there to pine away and die under the lash of the tyrant who domineers over them. Even the man who has *purchased* his liberty is everything but secure under the working of this bill, for if he should be laid claim to he has but a very slight chance, indeed, of justice from men who are totally void of the nobler feelings of mankind. It is but natural then that any attempts to put this hated and hateful law into execution should meet with the most strenuous and determined opposition. Already thousands of the colored population are combining and supplying themselves with the means of defence in the event of an attack on their sweet and justly-prized liberty; while those of less stout hearts are betaking themselves to Canada where, none daring to make them afraid, they shall enjoy all the freedom of the subjects of the British crown. Previous to the last steamer's sailing from America, one or two attempts were made to carry out the provisions of this act, but they proved an entire failure; and the present appearances render it tolerably certain that the Seward Whigs, who were fighting the November election in the empire state of New York, on the ground of opposition to this law, will win their election. If they should do so, the Anti-Slavery contest will again be opened, on the meeting of Congress, in December, with renewed violence. Two things, therefore, with regard to the bill, are perfectly clear,—first, that the law will be very rarely executed, even whilst it remains in existence; and second, it will not remain in existenne for any length of time if a vigorous revival, which is sure to be, of the Anti-Slavery agitation can produce its repeal. The resistance already given to this bill is considered by the Abolitionists, and the majority of the ministers of religion as analagous to that of the American colonists, who resisted the Stamp Act of England; to that of the English people, who banished James the Second; and to that of the early Christians, who endured the spoiling of their goods and the martyrdom of their persons rather than burn incense at the altar of Jupiter and Venus. They do not, as no one for a moment will suspect, deny the duty of obedience to the laws of their country in general; but they deny that the law has any right to compel them to assist in what they regard as immoral and unchristian, or, in other words, as nothing less than the crime of man-stealing. In such circumstances we consider their opposition perfectly justifiable. It is enough to make one's blood curdle to think of the atrocities perpetrated under this law, and although obedience to the constituted authorities is a sacred principle which every civilized nation must cherish as a fundamental principle, yet statesmen should take heed that they do not sanction laws which war with moral justice, as the principles of the Fugitive Slave Bill, when carried out to their full extent, assuredly do. "If a colored man in the United States," says the *Caledonian Mercury*, "fugitive slave though he was, in his desperation offered violence to the man who came prepared to drag him and his children to some distant State, there to fall back into Slavery and practical wretchedness—we would think him justified. It would resolve into a question of expediency—if violence would rid him of his oppressor, who could say that it was not legitimate? What a law, therefore, must this be, when resistance to it becomes rather a virtue than a crime. Yet such are the dire effects that spring from a polluted source. Slavery is an iniquitous institution, and all regulations going to sustain it—and especially where these, like the present, involve a revolting inroad into the territory of a free State—partake of the original taint. It would seem, and we speak it with all humility, that Providence was working the retribution that may one day overtake those in the United States who have been partakers in the cruelties and oppression inseparable from Slavery.—The immediate effect of this Fugitive Slave Bill is no doubt to drag many unfortunate human beings from freedom to bondage, including children who imagined they were born beneath a more benignant star. The ultimate effect is to strengthen the Anti-Slavery party in the United States, and speed, as we hope, the extinction of Slavery. It is one of the steps to that consummation which sooner or later must come, for the march is onward and unceasing; and Mr. Webster and other American Statesmen would do well, following the example of the Statesmen in the home country to clear the way—to yield to the current, and at the same time to regulate it." We think so, too, and we believe there is only one thing to be done with such a law as we have been writing of, and that is, to repeal it as soon as possible. The longer it remains on the Statute Book of our American brethren the stronger will be the hatred, and the more rancourous the feelings of the free States towards the South. We look to the next meeting of Congress with considerable interest and anxiety.

From the London Inquirer.

THE SLAVERY-CRISIS IN AMERICA.

The spectacle now exhibited by the working of the Fugitive Slave Bill in the United States, is one to excite the wonder, pity, and indignation of the civilized world. If it were removed from the Americans by any great distance of time or scene, their poets, painters, and preachers, would choose it as a theme for its power of moving the heart. The early Christians flying from the officers of Decius,—the Albigenses escaping from the savage Crusaders of Languedoc,—the Moorish fugitives of Granada—the Huguenots in the time of Louis XIV. —the Royalists under the Reign of Terror,—or the Hungarian patriots of our own day—could, we have no doubt, be made objects of sympathy in any ordinary assembly of the American people; yet to a cruelty as shocking as is to be found in history, but which is going on under their own eye, vast numbers are cold and insensible. The new and horrible slave-law, of which we lately explained the nature and bearing, is driving hundreds of men of color to fly from their homes, to seek protection under foreign governments. Of these, some have escaped from Slavery. Others are legally free, but have no shadow of security that their freedom will be respected. They know that a simple perjury, which they cannot rebut, may consign them to the lash; and as each would be worth seven or eight hundred dollars on a Southern plantation, they know that the premium upon kidnapping is larger than is found sufficient to make adventurers face the perils of the African slave trade. For the present the coast of Africa is thrown into eclipse. The New York Courts of Justice are now the cheapest and most convenient marts in the world for obtaining human victims.

All Americans with any drop of the unhappy negro blood in them, are, consequently, struck with terror. The security which many of them have enjoyed for years, is at an end. They have suddenly to leave their means of living, and fly—they scarcely know where, but anywhere from the unrelenting law of their native country. They fly, as poor men must, without provision, without friends, without prospects. Their utmost hope can only be to breathe in freedom from the pursuer, and to commence life again in the lowest condition of poverty. What would the Americans think, if these victims were a white race? How would they feel at seeing men of their own lineage thus hunted down, as if they were wild beasts? Yet they profess the faith of Him who taught that imperishable truth, that God "hath made of one blood all nations of men." To a believer in this truth, what a case was that of James Hamlet—a peaceful, industrious workman—suddenly seized, dragged before a justice, condemned as a slave, and hurried off by railroad to the South, without being able to say a word of farewell to the wife and children whom he left at home in the morning. He was redeemed indeed by the subscriptions of a humane few, and brought back; but the enlightened Christian merchants of New York, it seems, would have been as well pleased to hear that he had gone on to a rice swamp in Carolina. We learn by the last accounts that a great and influential public meeting was held in that city, not merely to condemn a violent opposition to the law—nor even to maintain that while it remains law it should be executed—but actually to uphold and applaud it, as a wise and just piece of legislation, which the best interests of society required.

When we find that the satanic sophistries of self-interest can thus darken and degrade the moral perceptions of educated men, it is enough to provoke the doubt whether society has gained by emerging from the wigwam and the forest. But the mercantile dembustration of New York is scarcely more painful than the coolness and hesitation of another class of men in reference to the same appalling subject. We wish to speak with the caution and forbearance which become those who judge from a distance and may not know the whole case; but we must say that we do not understand the position of a teacher of the Gospel who feels no call to speak upon the plain question of right and wrong now forced upon the conscience of every American citizen. Some, however, whom we have been accustomed to respect, appear to think that the Slave Law is only a question of politics; that a religious assemblage, brought together to hold counsel upon spiritual interests, should have nothing to say to such a matter; and that, in short, religious men may fulfil all their duties without meddling with any topic which excites party animosities. Can it be meant that human law has the power of taking any subject whatever out of the sphere of morals and religion? We cannot suppose so, for this would be the Atheism attributed to Hobbes and his followers. If, however, there be a law of God superior to that of sovereigns or parliaments, the latter must now and then come upon its trial, and when it does the humblest Christian must decide how far it is moral and fit to be obeyed. Is the Fugitive Slave Law morally right, or does a man who takes part in executing it commit an offence against the law of God? We should have thought that no unbiassed Christian morality could have been in doubt about the answer. We do not, of course, suppose that such a one would recommend or justify a *violent* opposition to the decrees of a duly-constituted authority. Christian duty seems to us to warrant only a peaceful resistance; a refusal to *act* under the law; a readiness to suffer in person or property rather than do so; and an uncompromising determination to use every constitutional means for its repeal. But this, at all events, is no affair of mere speculation. It is a question as practical as that of lying or stealing. Any man, at any moment, may have to determine whether he will or will not favor the escape of a fugitive? Is a teacher of morals to be dumb at such a time? Can he furnish no guidance in that precise conjuncture in which it is needed most? If so, his function is a mockery, and will soon be gathered into the limbo of vanities.

From the cold and ambiguous expressions which have been used in some quarters, we should be at a loss to know whether the work of dragging back Negroes to the lash were not held to be as debateable a matter as a question of Free-trade or Law Reform. We have no love for violent words any more than for violent deeds. We can even understand how a manner of uniform gentleness may touch and soften the seared conscience by which the edge of the sharpest rebuke would be turned aside. But we are obliged to ask whether the mildness of treatment shown towards the man-stealing law is extended to other incarnations of the principle of evil. We can only judge from the printed examples of ordinary exhortation and disquisition that reach us; but from these we should say, that none of the American moralists think it necessary to spare the language of indignation against dead or distant crimes. It is only the living and neighboring iniquity which receives a little more consideration and tenderness of management. Very possible it is that we who see this, as we think, so plainly, may be obtuse to some equally strong requirement of our own position. If so, we shall thank the sincerity of him who will proclaim the weakness. If custom has made callous any moral nerve, it will be no unkindness but mercy, and a true brotherly service, to restore its sensibility, no matter with what amount of pain.

From The (Leeds) People.

AMERICAN SLAVERY.

The abolition of American Slavery will help the cause of democracy in Europe. The existence of American Slavery hinders the spread and triumph of democracy in Europe. When we speak in favor of republicanism, the whigs and conservatives remind us that republican America has 3,000,000 of slaves. True, we are able to reply that it was monarchy and aristocracy, and not republicanism, that cursed America with Slavery;—that republicanism has *freed* a number of the States of the great republic from the curse of Slavery, and is likely, in course of time, to free the whole continent from that curse. Still, the fact that Slavery exists in the great Republic, and that the leading men of the slave States, while they pretend to advocate republican principles, speak in *favor* of Slavery, exert an injurious influence upon the cause of republicanism in Europe. English reformers, therefore, in helping the American Abolitionists, will, in truth, be helping themselves. In helping to annihilate Slavery in America, they will be helping to annihilate oppression and tyranny at home.

Some will say, 'Let us free ourselves, before we talk of freeing others.' But why not endeavor to free both ourselves and others at the same time? We may do something towards emancipating the slaves of America, without postponing for a moment our *own* emancipation. We may do a little for the American slave, without doing a particle less for the oppressed and plundered in Great Britain and Ireland.

'But the Americans laugh at us when we speak against American Slavery, so long as so many of our fellow subjects in England and Ireland are perishing of starvation through monarchical and aristocratical tyranny.' We answer, the Americans know that it is not the *reformers* of England that perpetuate monarchical or aristocratical tyranny. The Americans know that the men and women who lift up their voice against American Slavery, are the enemies of British tyranny and oppression. The Americans know, that the men who are most favorable to tyranny in Great Britain and Ireland, are the men who are most indifferent to Slavery in the United States. *We* have no need to be ashamed of lifting up our voice against American Slavery so long as we lift up our voice against European tyranny. If we were in league with those who oppress and plunder the nations of Europe, we should have *reason* to be ashamed of lifting up our voices against American Slavery; but we are *not*. And the Americans *know* we are not. The Americans who know anything about *us*, will know that we are republicans. They will know, that in assisting the American Abolitionists, we are acting consistently. Our assistance will, in consequence, be all the more efficient.

If in order to help the American Abolitionists, it were necessary to give up our labors in behalf of reform at home, we should say, 'Leave American Abolitionists to themselves.' But this is *not* the case. We can help the American Abolitionists without doing any the less for the reform of the political and social institutions of our own country.

If any wish to know in what particular way they can help the American Abolitionists, let them write to Mr. Estlin, of Bristol. He will be glad to put them into the best way.

In conclusion, Let us do our utmost to secure freedom and justice to our own countrymen. The more we do to free our own country from misgovernment, the better able shall we be to assist in freeing America from the curse of Slavery.

From the Jamaica Morning Advertiser

THE AMERICAN FUGITIVE SLAVE BILL.

We have already expressed our views of the odious measure—the Fugitive Slave Bill—which the Congress of the United States disgraced itself by passing during its last session. That measure, so perilous to the men of color living in the Free States, has not proved a dead letter, but has already been carried into vigorous operation in such a manner as to bring out its real character, and the animus of its promoters, in the most unmistakeable manner.

This law—which, indeed, is but the revival of previous enactments which the good sense of the country had put into abeyance—has fallen like a thunder-bolt on the numerous fugitive blacks who had ventured, in former years, to steal away from their owners, and by flight convert themselves from chattels into men and women. Among these persons are many who by their own worth and intelligence are occupying respectable posts in society, and who have secured the esteem and confidence of their neighbors around them. Some are ministers of religion, and we have had lately in this country some of them who have occupied our pulpits in the Established Church, and among the various bodies of Dissenters. One of this class is the Reverend Dr. Pennington, who received his diploma from the University of Heidelburgh, and whose case was lately noticed in this paper. Another specimen of the fugitive slave we have had among us in the person of Frederick Douglass, whose eloquent and interesting speeches on American Slavery, and a variety of topics which he discussed when here, proved him to be a man of first-rate powers, and well calculated for the position which he has since occupied in America, as the editor of a well-written newspaper—the *North Star*. It is quite possible that Mr. Douglass has by this time been obliged to abandon his influential position and fly to Canada, from before the face of the pursuers, who were commissioned to carry him back to the region of whips and chains, where the slave-driver would ply his weapons with the more hearty good-will, in the way of revenge for all the bold things which the runaway had ventured to say in favor of liberty.

The vigor of the attack now made on the freedom of those who have liberated themselves from Slavery, may be judged of from the new apparatus which has been called into operation for the purpose of effecting their recapture. Previous to the law just revived, the parties who seized on the alleged fugitive were obliged to obtain a warrant from one of the Federal judges, before whom they had to present the *self stealer*, and who had, after a proper trial, to give him to his pursuer, if the claim against him should prove valid.

The new act extends the power of issuing the process and deciding upon them to the Commissioners appointed by the circuit courts of the United States, who are now authorised to act in this matter as if they were justices of the peace. These fitting instruments for aiding the slave-taker may be appointed in as large numbers as the work in hand may render necessary, and it will be seen that there is no reason to expect that many of the *culprits* brought before them will be allowed to go free.

When the trial is held before one of these commissioners, his fees, where a certificate is rendered to the claimant, is *ten dollars*, but where the proof is insufficient, this upright and disinterested judge is to receive *only five*. This functionary has the sole power to determine what shall be considered satisfactory evidence, and there can be no appeal from his decision. Is it not obvious that this man will be a very obedient and willing tool in the hand of the slave-hunter? If plenty of runaway slaves are captured and certified as slaves, this man's occupation will thrive; if none are brought before him, he must starve: and if they are allowed to depart, he will have to go on short commons. His interests and those of the captor are therefore identical, and they will very naturally play into each other's hands. Mr. Commissioner, there are ten bright dollars for you this morning, if you will be satisfied with the evidence I give you against this nigger, and only five if you let him go. A cute commissioner may make a good thing of his appointment if he is clever in convicting; and such a man will also, by virtue of his good name, be sure to get plenty of suitors to appear before him—whereas a man who leans to the oppressed black will, besides having only half fees, find himself not favored with much business.

It may be alleged that these commissioners will be all honorable men, and likely to decide with the greatest impartiality under the influence of high principle. We think it most probable that the reverse will be the case. Few respectable men will consent to become professional slave-catchers—to undertake the discharge of functions so abhorrent as those imposed on the commissioner. The work is uncleanly, and there will be men, plenty of men, found to perform it: but they will not be persons of much character and uprightness, and who are willing to give up half their living, and more than half, for the purpose of promoting the cause of freedom.

The good commissioner—that is, *good* in the Southern sense of the word—will be able to carry on a roaring trade, and make a deal of money in a short time. He has plenty of "appliances and means to boot," all of them worthy of the office which they will have to aid.

The marshals and deputy marshals of the United States are bound by the most stringent penalties to assist in the work of slave-catching. If any of them should refuse to receive a warrant issued by any of these commissioners, or to use all proper means to execute it, he is to be fined a thousand dollars, for the use of the claimant; and should a fugitive, after being arrested by him, be allowed to escape, he is to be prosecuted for the full value of the said fugitive for the benefit of the claimant.

The commissioner finds in addition that the vigilant law-makers of the South have given still "more power to his elbow." He is empowered to appoint as many persons as he deems necessary to act as runners, to hunt down and arrest alleged fugitives; and these men are to receive a fee of five dollars for every fugitive they may arrest at the instance of a claimant, with such other fees as may be necessary to carry him safely to the State from which he originally fled. These fees are to be paid out of the treasury of the United States, so that the funds of the whole population are to be employed for the benefit of slave-owners.

We are already furnished with instances of the manner in which the new declarative law operates, and of the efficiency with which these commissioners do their duty and get their full fees, and also of the zeal with which he is assisted by the myrmidons of his respectable court. One of these instances may be taken as a specimen, and becomes the more worthy of notice as, although a contemporary has given the history of the subsequent purchase of the fugitive, and the celebration of his redemption, it has not given the account of his committal, which makes his case the more interesting.

We have then sitting in his new court in New York, Commissioner Gardiner, and brought before him, by his captors, is one James Hamlet, a colored man, the slave of a Southern lady, whose agent appears to obtain the fugitive for his alleged owner. Two witnesses appear to prove that they knew James Hamlet to be the slave of Mrs. Brown, in Baltimore. One of these witnesses is her son-in-law, and another is her own son. "I am (says the latter a disinterested witness) a clerk in this city.—Resided in Baltimore before coming to this city. I knew Hamlet since a boy; is the slave of my mother. She is entitled to his services under the will of my father. Hamlet left her some two years since in Baltimore. Mrs. Brown is entitled to Hamlet's services, as a slave, for life; she never parted with him voluntarily; she came into possession of him by the will of John J. Brown, her deceased husband."

The commissioner having listened duly to these witnesses, decides that the slave should be given up, and draws out his certificate accordingly, for which he is entitled to his ten dollars. The next step is then duly taken by the agent, who demands that the commissioner would, in accordance with the law, give him *a sufficient force* to conduct the slave back to Maryland. The facile commissioner tells the agent that he must make an affidavit that he fears an attempt will be made to rescue the slave while on his way back to Maryland; the affidavit is made, and the force granted. The United States Marshal immediately deputed a sufficient number of his officers for the purpose, accompanied by whom the slave was immediately taken from the city, on his way to Maryland.

Such is the first-fruit of a very abundant harvest of oppression, which will very speedily be reaped by the slave owners of the United States. We think the men who had the temerity to re-enact these laws were not aware of their necessary tendency. They did not foresee that all friends of freedom would be aroused to more vigorous action, as the result, and that the result must be a more determined and vigorous struggle for the destruction of the system, which these violent means are intended to support. This law must soon be repealed, the whole of the States will be a scene of ferment and most deadly conflict, which will end in the annihilation of Slavery or the destruction of the Union.

The Southern Press, South.

From The (Columbia, Ga.) Times.

We publish to-day a letter from Mr. W. H. Hughes to the Editors of the Macon "Telegraph" in reply to an article over the signature of "Justice," which appeared in one of the Journals of that city not long since. It seems that "Justice" has made many false statements, or a garbled report of Mr. Hughes' operations in his attempt to arrest the slaves William and Ellen Crafts in Boston.

We think "Justice" has received a decided flagellation at the hands of Mr. Hughes, for his anti-southern attack upon a southern man, who, as is clearly evident, used all the means in his power to attain the object of his mission,—the reclamation of the slaves.

All the charges brought by "Justice" are met and refuted by testimony, too strong to gainsay.

The truth is, this case of the Crafts has been seized upon by the "Subs" for the purpose of making capital. It was first used in Macon (before the result of Hughes' attempt was known) to influence the election on the 25th ult. The people were told that these slaves would surely be arrested and brought back, and that thus the efficiency of the Fugitive Slave Law would be proven beyond doubt or cavil—they were assured that the Northern people were a law abiding people and would never allow that *small faction*, the abolition party, in their midst, to infract it—the northern people, voters were assured, look with contempt and abhorrence upon all who rally under the Banner of Abolitionism; they are our brethren, lovers of this glorious union like ourselves, and will put down all and any demonstrations against our rights and property. You'll see, Union advocates were wont to say, if we are not right—depend upon it the Law will be upheld—it will succeed. Did it succeed? Was it upheld? Where are the Crafts? Mr. Hughes' letter will explain.

Instead of finding a *faction* arrayed in opposition to the Law, Mr. Hughes' tells us that the *masses* were up in arms. At the very *first* attempt to carry out that law, for which we should be so thankful and so well satisfied as a guarrantee of our rights for all future time, at the very first attempt to carry it out in the *Athens of America*—framed for its scholars, its enlightened and *law-abiding* population, it *was set at defiance*,—and not by a rabble mixture of whites and blacks—oh no, the wealthy and the titled, the bar, and the pulpit, officers of Government, both State and Federal—all, all, conspired to set at nought that *satisfactory* and *sure* guarrantee of our dearest rights. Why, it works beautifully; how easy it is to regain our stolen or fugitive property. Look at the proceedings in Boston, do you not see how nicely things work? The Fugitive Slave Law is just the thiug—*exactly* so—*just the thing for the north*—just the thing to preach, but oh! how hard it is to *practice*. When will southern men open their eyes to the necessity for action—prompt action? When will they awake to duty and to honor? Will it be when they are chained hand and foot? Shall the day be so remote that when at last the truth is known and acknowledged by all, it will be too late to do aught but weep over their foolish idolatry for a Union with sworn enemies into whose hands they have delivered themselves? Arouse yourselves, southern men, ere you become powerless to resist. The Philistines are upon you already, and the day is not far distant when it will be too late to act, except upon the battle field—too late to save either the Union or yourselves even on the field of strife. It is impossible that the Union can be preserved after the eyes of the people are opened to its character. It is not now a Union of equality. It is not a Union in which strict justice is meted out to all—in a word, it is not the Union of our fathers.

What shall we do to be saved from abolition, will be the cry ere long.

W. H. HUGHES' LETTER.

Messrs. Editors: I had fondly indulged the hope of being permitted to remain in quiet, after the publication in defence of my character which was intended for, the last issue of this paper; but it seems I have suddenly awoke and found myself famous. Some individual, over the signature of "Justice," having taken the public welfare under his especial care and guidance, has thought proper to indulge in slanders upon myself. Whatever may have been the motives which prompted this attack, whether proceeding from natural malevolence of heart, or from some base and selfish purpose, instigated by a natural affinity with the cause of abolitionism, it matters not, it will still be perceived he has only thrown up a stone to fall on his own head; and, by hitting his brains increased that natural confusion of ideas which it seems he already possesses, in an eminent and marvellous degree. This person, who has misnamed himself "Justice," (in contempt I presume,) to common sense, is prompted in the outset, by the most evident intention of inflicting an injustice. He begins with a falsehood, and ends with a slander, and fills up all the intermediate interstices with base misrepresentations and wilful calumnies, highly creditable to his genius and well worthy of his cause. My remarks and explanations will not only prove to be satisfactory to any sensible man but will show to this unfortunate creature, that an habitual liar should never be guilty of the impropriety of permitting himself to be made a tool of in public prints, to subserve, either public or private ends, for his own words are sure to prove his greatest enemy, and he is constantly liable to have his jaws slapped with his own arguments.

I will now proceed with Slap the first—not with any hope of eliciting an idea or of awakening a truth, but simply by way of attracting his attention: and at the same time, hoping he will receive these slaps with commendable patience, lest, in his restiveness, I miss his jaws and pop his nose. "Justice" says, Hughes left home on Friday, and on Saturday following one of the Fire-eating Organs in this city, published the whole affair, accompanied with sundry taunts, directed to the Union party. This is untrue—a wilful and premeditated misrepresentation. I left home on Friday, the 11th day of October, and the *Tribune*, of this city, which he says published the whole affair, the very next day (12th.) did not, in fact, contain one single word on the subject; nor did it refer to it in the remotest degree, until the 19th day of October, the very day on which I reached Boston and when that paper was issued here, I had been in Boston several hours, and had already commenced operations, as I shall show hereafter. Neither did the paper mention my name at all, but said; "We learn Mr. James Nisbet left this city," &c., &c. This I state to be the truth, and challenge contradiction: and for proof, examine *Tribune*, 19th Oct., 1850. Now as why "Justice" has lied, I pretend not to determine, the fact is all I wish the public to remember. Again says "Justice:" "Mr. Hughes arrived in New York on Tuesday, and instead of pushing on direct to Boston, remained over there several days. He reached Boston, and remained there two days before he applied for a warrant. After he did apply he permitted himself to be wheedled and bamboozled for four or five days, before he finally obtained one." In reply to this, I state, I carried a letter to Mr. Taylor in New York, who was to assist me, and by his advice and direction, I waited the arrival of Mr. Fay, who was to provide me with letters to gentlemen in Boston. I acted in accordance with instructions, and it will be seen in the sequel, that my delay in New York, had no effect upon ultimate results. "Justice" then goes on, paragraphically, and says, 1st: "Had he (myself,) pushed on to Boston, he would have reached there in advance of Harrisons paper and of any possible summon of his approach." Now, I have already shown the impudent falsity of this charge, I repeat, Harrison's paper, which contained the article in question, was published in Macon, on Oct. 19th, the very day of my arrival in Boston: and when issued here, I had been in Boston several hours, and had already commenced operations; and all before there was any summons of any approach, (unless "Justice" has some abolition correspondent there,) at least we presume it to be so, as we cannot ascertain to the contrary. But even should it be so, of what consequence is it? Bill did not try to secrete himself, and had no mob, and if "Justice's" falsehood should be true, the notice, which so much stirs his bile, did no harm: for Bill and his wife were there, quiet and easy, after my arrival, and conversed with Mr. Knight very unconcernedly—feeling, I presume, sure of protection abroad and sympathy at home, from people like "Justice." Instead of inactivity after reaching Boston, within ten minutes after my arrival, I indited and sent a note to a friend and officer, (to whom Mr. Fay gave me a letter,) and as I received no reply during the day I called at his house and saw him at night and concerted a plan of action with him. Again, says "Justice," "Had he (myself) carried a witness with him and made a formal demand for a warrant, no commissioner would have hesitated to issue it; because no one would have ventured to render himself liable to a prosecution for damages under the law." Unfortunately for the argument of "Justice," I did carry a witness with me and the objection of Judge Woodbury, was not the want of witnesses, but that he was not the proper person to issue such warrants. Could a witness have made Judge Woodbury consider himself the "proper person?" I opine not. If "Justice" should say I ought first to have called on the proper person, I reply, Judge Woodbury was the proper person, and did ultimately issue the warrant, in open Court, as a "proper person," in conjunction with other persons, who, like him, had been the improper person.

Again says "Justice," [illegible] promptly, instead of delaying, as he did, he might have had the negroes far on their way to Georgia, long before the officer could have raised a mob in Boston." I have already shown that I began operations within ten minutes after reaching Boston, and as soon as I could find the gentleman to whom I carried letters, matters were arranged for progress. I called on Judge Woodbury, who advised me to see Mr. Lunt, U. S. District Attorney, whom, if I may be permitted to spend my individual opinion, I should pronounce to be a disgrace to his country his profession and his office, for he deliberately stated to me as a reason for declining, that he had a recent case and the excitement on the occasion was so great he would not undertake another; all of which was untrue, as far as I could ascertain from inquiring in Boston. I leave the gentleman to settle this matter with his God and his conscience, and place him in the same category with "Justice," as a trickster whose inventive genius should make him an object of marked distrust to every person who entertains a proper regard for veracity. My next visit was to Mr Benj. F. Hallett, another U. S. Commissioner, and this legal phenomenon, replied, the law did not authorize the warrants to be issued, and that it was my duty, first to arrest the negroes without a warrant, and bring them before him. Ye honored shades of Blackstone, of Mansfield of Marshall and of Story hide your diminished heads before this Boston luminary, this great expounder of justice. Happy Massachusetts! happy in the possession of so much genius and legal lore. But it may be in my infatuated admiration, I may misconstrue his character, as some of my astute friends seem to think him only a happy combination of the knave and fool. Whatever he may be, I present his portrait to the country, and recommend him to the attention of the speculator Barnum, who by providing him with a pair of ears might present to naturalists a fair specimen of a Boston Ass. My next visit was by the advice of a worthy gentleman to whom I return my thanks, to Mr. Seth J. Thomas, who undertook my case, and proceeded to call on Judge Sprague, another Judge on the Supreme Bench. This personage strongly reminded me of the celebrated Dutch Judge who would never hear but one side of a case because the two sides always confused him. Here we had re-enacted the same tortuous, twisting, shuffling, contemptible evasion of a poor pettifogging Lawyer, and makes me wonder by what legerdemain, so poor a creature was placed in an honorable and responsible office. I next turned my face on Mr. Curtis, another United States Commissioner, and a worthy Bostonian, who from a slowness of comprehension, or a want of familiarity with his duties, desired time to conquer this abstruse and difficult subject. After great unnecessary delay those Judges and Commissioners, who had refused to issue the warrants, because they were not the proper persons, did meet and issue them in open court. Well this "Justice" calls doing nothing, calling upon two Judges of the Supreme Court and three Commissioners, encountering all the difficulties purposely thrown in the way, is not to be done by a dart of the pen. Of the Judges, I have not the language to express my opinion, nor can the English Language supply proper epithets, but in my opinion they soil the ermine with an infancy as deep, as damnable, and as durable as ever stained the name Jeffries. As for the Commissioners, they want only opportunity to become notable and famous "Dogberry's." And if you will include "Justice" of the "Journal" & Messenger," you will have half a dozen as precious scamps as one can find any where in two days, which I think is doing something. Again says "Justice," "had he remained in Boston, instead of leaving for New York, the probability is that the negroes would have either been secured or a conflict between the authorities and the mob would have taken place, which would have justified the President in ordering the Military to enforce the Law."

It is a reasonable supposition that those present in the scene of action were most competent judges of the best policy to adopt and those most interested in the recapture of the fugitives, could see no chance of doing so, and thought it best that I should leave in order to allay the excitement. As for the conflict between the authorities and the mob, of which "Justice" speaks so knowingly, I have only to say, the authorities took very good care to keep out of all danger of a conflict with the mob, and to avoid, with singular sagacity, not only a conflict with the mob, but also a performance of their duty, and I am rather inclined to think the President has such confidence in the law-abiding Bostonians, you would find some difficulty in opening his eyes, and whether this blindness be moral or physical, it will prove an unfortunate circumstance for him, and will prove a page in his biography, which his descendants will be glad to evade. And moreover, I think it would have puzzled the President to have found Bill then, or indeed anybody else but "Justice," who, for aught I know, may have been in correspondence with him. "Justice" again says of me, "had he acted promptly instead of delaying as he did, he might have had the negroes far on their way to Georgia, before the affair could have produced a mob in Boston. I think I have already proved that I did act promptly, and could I have obtained the warrants which honorable officials would have issued and honest officers would have executed, I think it not only probable, but very certain that I could have been more than half way before the mob interfered. But I could not obtain the essential warrants, though applying to the very persons who afterwards actually issued. But please to observe of what stuff his charges are made of. Suppose it had been as this sapient gentleman asserts, it would only have proved that by great secrecy and dispatch, I could have stolen the negroes from Boston. But does any reasonable man think this an argument in favor of the Fugitive Slave Bill. I could have stolen them just as well before the "Slave Bill," as after, and probably a little better. This bill was to prevent the the necessity of stealing our own property, and it seems to me, in using this as an argument for political capital, the gentleman has only succeeded in bumping his head against a post, but evidently, without the effect of stirring up an idea, for he did not perceive that it only demonstrates, that in Boston, the law cannot be executed by the public authorites, and that a man must recover his own by stealing his own property, and that before they can find him out, or probably murder him in open day.

I expect this stealing of our own could have as well been done before the fugitive law was passed. "Justice" proceeds to say. "Instead of pursuing this course, we find Mr. Hughes remaining in New York, until he was actually sent for by Mr. Webster, to give testimony against the officers for neglect of duty. This is in full accord with the other facts, and like them untrue in every particular. Mr. Webster did not send for me. I never wrote a word to him, and I never received a word from him. I returned to Boston, not because Mr. Webster sent for me, but because Mr. Fay sent for me to testify to charges made by himself, not to Mr. Webster, but to Mr. Seth J. Thomas, and I testified not to what "Justice" says, not what Mr. Crittenden says, but what you shall soon see. In the next paragraph, "Justice" says, "Mr Hughes shows on his return he felt more interest in making disunion capital than in subserving the interests of his employers;" and again, "I have no unkind feelings towards Mr. Hughes, and would greatly prefer placing him in a favorable light before the people." I think the gentleman has a fanciful way of showing his feelings towards me. Who instigated him to become my accuser? Did his kind feelings or did my employers do so? If they did, they have judiciously selected an agent who is willing to be employed in any thing. If they did not, I much prefer the gentleman's enmity to his friendship. In the next paragraph, "Justice says of me, "why did he not on reaching Macon, at once seek Dr. Collins and give an account of his stewardship." When I reached Macon, I was no longer in the employ of Dr. Collins, and he already knew about it, all he desired to know, and knew the result as fully as he does now, but unfortunately for "Justice," even this small crumb of comfort is denied him. Immediately on leaving my residence the morning after my arrival, I sought Dr. Collins in all parts of the city, where it was likely to find him, and ascertained positively that he was absent from the city, and he himself will testify this in his early visit that morning, for the residence of Mr. William Scott in Vineville. Again, says he of me, "why did he give the particulars of the proceedings to be used for political purposes and in opposition to one of the very men who employed him to re-capture their negroes.

Poor imbecile, I begin to commiserate him. Does he suppose because Dr. Collins employed me as an agent, for that reason I was to sell my conscience, my country and my principles to Dr. Collins? That may suit the ethics of "Justice" who probably has no principles to sell, but it does not suit me. But some fatality attends this blunderhead in every step. Before leaving for Boston, I was an Union man: true, I was for some kind of resistance, but refused to cooperate with the Southern Rights party, fearing they would be ultra in their action, but you say in opposition to my employer.

Unfortunate "Justice." Dr. Collins before the election, advocated openly the very same political opinion I did then. He advocates the very same now. He is opposed to disunion, so am I. He is in favor of decided measures, so am I, and so will "Justice" soon be, unless his principles shall carry him to the north, where it seems his predilections already are. If "Justice" had attacked the Abolitionists of Boston with only half the spirit he has defended them; if he had defended a southern gentleman in the execution of his duty with only half the spirit he has expended in slandering him, he would have displayed not only a more southern heart, but might also have had some claims to the title of a gentleman, a right which he seems to trample upon with remorseless indifference.

Again, after extracting some remarks from my statement, he says, "this is Mr. Hughes' statement, and if he had given it in this form to Mr Webster, the Marshal, could not have retained his office one day." Alas! for this man, his judgment seems to be upon a par with his truths, and both well worthy of his principles, so Bostonian in character. In fact, I did make the very deposition which the gentlemen so very strongly commends not to Mr. Webster, but to the officer before whom Mr. Fay (in whom the south has had a fearless and honorable champion) made his complaint. A word more and I have done.—"Justice" introduces in his article in an extract from a letter from Mr. Crittenden. Respect for the high office of this functionary shall be my apology for not touching him with the harshness he so well merits. But whenever a man in office, however high, attacks, the honor of a gentleman, however obscure, he is by the broad principle of this republican government, brought at once to a level with the man he does assault. Mr. Crittenden says, I had no complaint to make against them. I deny the assertion. I made no such remark. I made no such deposition, and I call upon Mr. Crittenden in defence of his own honor, to produce the deposition. I charged (in my deposition) the officers unhesitatingly, unreservedly, and unequivocally, with neglect and evasion of duty.

In a private conversation with the Marshal who was remonstrating with me, I said, "I am making no complaint against you—it is not me. I am only bearing testimony whether or not you are to blame and have failed in duty." This, I repeat, was in a private conversation with the Marshal, and sustaining my deposition. I repeat again, Mr. Crittenden cannot produce such a deposition. If he can, I pronounce it in the face of this Republic to be a forgery.

Lastly, "Justice" says, "I understand his lawyer speaks in commendatory terms of his conduct in Boston—that is nothing. It may be part of the game.

In taking my adieu of "Justice," let me leave him in company with a kindred genius,—that canting and hypocritical knave—the Rev. T. Parker, who is promulgating from God's holy temple as cardinal virtues murder, theft, and perjury. Whence does this vile panderer to all the base, degrading, and infamous passions draw his moral code? Is it from the decalogue? Does not that Book teach him, thou shalt not murder, thou shalt not bear false witness! Yet he teaches you from the temple of God, let us steal the slaves, murder his master, and perjure ourselves in the halls of justice, and our individual conscience shall hold us, faultless, aye, even above the LAW OF GOD, whose minister and teacher I am—above the Constitution of the country under whose protecting æg

ly cause, and a foul and fested ulcer upon civilized and christianized society. Let the Church spew him from her mouth—Let society turn from him in horror and disgust, and let him affiliate in full with murderers, thieves and perjurers, whom he so much effects. W. H. HUGHES.

National Anti-Slavery Standard.

Without Concealment....Without Compromise.

NEW YORK: THURSDAY, JANUARY 2, 1851.

Appeal to the Friends of Freedom.

It has become necessary to appeal to the friends of Law and Freedom for funds to test the legality of the proceedings against Henry Long, under arrest as a Fugitive Slave. It is desirable that eminent counsel should be retained to defend Long in the Courts in the City, and, if need be, in the Supreme Court of the United States; and to have the illegality and unconstitutionality of the proceedings ably argued. The course marked out may involve the expenditure of several thousand dollars. Should more be contributed than may be necessary in the case of Long, the balance will be sacredly kept as a Fund to be used in similar cases, should they occur. Money may be sent to Horace Greely, Esq., Editor of the *Tribune*; to Lewis Tappan, 61 John Street; or to S. H. Gay, 142 Nassau Street.

☞ Editors friendly to the cause are respectfully and earnestly requested to insert the above appeal, and to aid the same editorially.

KIDNAPPING IN PHILADELPHIA.

It is not necessary, perhaps, that anything should be added to the following report in the case of the alleged Slave, which occurred last week, in Philadelphia; we are constrained, nevertheless, only by want of room from attempting to bring out at length into a little bolder relief its complete atrocity, and its complete vindication also of every thing that has over been said against the Slave-hunting Bill of President Fillmore. Had any opponent of the law been bold enough or unscrupulous enough to run the risk, by contriving a fictitious case, with no other purpose than simply to show for what vile purposes—viler even than it proposes—the law could be used, how entirely it sets aside all other law, whether of God or man, it could not have been expected that any ingenuity, however acute, could have made a suppositious case that would have answered that purpose so well as this real one. In a fictitious case, to answer the purpose proposed, there must be some one, or more, of the parties acting who must do so in good faith, and without the knowledge that the case is fictitious, else the purpose is defeated. But it would be absurd to calculate that all concerned would so act their parts that precisely the desired result would be brought about. If a kidnapper could be induced to consent to exercise his profession to defeat its end, there might be difficulty in finding just the officers who would arrest a man on a false charge, and without a legal warrant; or, when these two first great obstacles were surmounted, probably the man so fool-hardy, or so weary of life, does not now live who would risk becoming a slave on a doubtful issue of proving the law, under which he took the risk, an unrighteous one; and even if a case had been so far conducted successfully, the Commissioner might be an upright and sensible man who would hesitate to render up to bondage, in the face of the most positive testimony, as to identity, a fellow-creature sworn to as a fugitive by a notorious kidnapper; and when all these seemingly impossible requisites were secured, it would be necessary to rely still farther on the honor of a slaveholder in a question of a supposed "runaway nigger," or else all the steps that had preceded the rendition to him of the alleged fugitive would have been unavailing and productive not of good, but of infinite evil. No sane man would have the temerity to undertake the creation of such a concatenation of strange circumstances, and yet accident in this Philadelphia case has contrived them all. The alleged slave was arrested by a man under indictment, at this moment, as a kidnapper, assisted by legal officers, on a charge of stealing chickens, but without warrant, that he might be tried as a fugitive. When told the purpose of his arrest, and that it was without authority, he refused to depart, believing only that the charge of stealing was brought against him from which he was resolved to be cleared. The Commissioner before whom he was brought proved utterly unscrupulous, and regardless of the first principles of law and evidence, and set aside the testimony of the witnesses who proved that the prisoner was not the alleged Rice, because the testimony of colored people is not received in slave States! And finally, the slaveholder to whom he was returned was honorable and humane enough to deny all knowledge of him. Every thing that could be desired to consummate the most triumphant termination of the case was given, and not a step was taken, from beginning to end, that does not go to show that the worst tyrants of any age or country never had an instrument so fit for their purposes as this Fugitive Slave Law of the American Republic. But we hasten to the report:

THE FUGITIVE SLAVE CASE.

The following is a full report of the proceedings in the case of Adam Gibson, who was arrested on Saturday, as a fugitive slave. The case is one of importance and will be read, at the present time, with universal interest. The proceedings took place before Edward D Ingraham, Esq., U. S. Commissioner.

A young man, about 20 years of age, was brought before the U. S. Commissioner, by George F. Alberti who claimed him by virtue of a power of attorney, as a fugitive from labor, the property of William S. Knight, of Cecil Co., Md.

W. E. Lehman, Esq., appeared for the claimant; W. S. Pierce and T. B. Hanbest, Esqs., appeared for the respondent.

Mr. Pierce said that the respondent had been arrested only an hour and a half before, and that until then he had been confined in a room by himself, and had not heard the charge against him. That consequently his counsel had neither time to make themselves acquainted with the claimant's case, nor to prepare the defence. That there were persons residing at a distance, some in New Jersey and some in Wilmington, Del., who would be important witnesses in his behalf. He therefore hoped that the Commissioner would grant a continuance as Judge Grier had done in the case of Garnet.

Commissioner Ingraham said—The hearing is to be a summary one; let it proceed.

George T. Price, sworn. I have seen that power of attorney before, and that is my signature; George W. Spence was present when I signed it; he resides in Maryland; George F Alberti was likewise present; I knew William S. Knight in Cecil county, Md.; my store and place of business is 42 Bank street; W. S. Knight gave this power of attorney to Alberti (Mr. Lehman read the power of attorney).

Jas. S. Price sworn. I know W. S. Knight; he lives in Cecil county, Maryland; I knew his property in negroes; I knew Emery Rice; the way I knew him, I kept a little store on the main road in Cecil county; he passed my store with Mr. Knight's spring horse; I resided on Chester Creek; I traded there with a horse and wagon; I traded in marketing some 7 miles from old Chester; my children worked in a factory. I have followed selling oysters latterly; I live now No. 15 Vernon street; I have lived there 3 years; Mr. Knight is a tall man; he is taller than I; I suppose he is 30 odd years old; he lives in Cecil county, 3 or 4 miles below Fredericktown; I was born there; I have known Mr. Knight 15 or 20 years; I expect Knight was born there; I have known this Emery Rice some 4 years; I did not know him until I moved back to Cecil county and all the knowledge I have of his being a slave was seeing him pass my house with Mr. Knight's spring horse; it might have been two months since I conversed with Mr. Knight; I can't recollect the time that he ran away; all I know was what Mr. Knight told me; I think he ran away about 1840; I moved in 1845; I can't say how many slaves Mr. Knight had; I never worked with this Emery Rice; he was not there at the time I worked there; I worked with Mr. Knight in 1838; he had but one man and some children; he had run away before 1838; I can't say how old Emery Rice was when he run away; he was a man grown, and looked to be 21 or 22 years old; I can't say how long I knew him; I knew him in 1828 or 1838; I worked for Knight again in 1838; he was a man grown then; I knew Rice in 1838; I meant to say in 1843; I meant to say he had run away in 1843; Knight had other slaves in his employment in 1838.

Q. By Mr. Pearce. Do you know that Rice was a slave?

A. I know that he worked for Mr. Knight, and I heard it said that he was a slave.

Q. The Commissioner. When a colored man is engaged at work for a slaveholder in Maryland, the presumption is that he is a slave.

Q. By Mr. Hanbest. Are not many free colored persons employed at service in the State of Maryland by slaveholders?

A. At harvest time.

Q. At no other times?

A. Sometimes in cutting wood.

Q. In no other way?

A. I can't say that there are not colored persons employed who are not slaves.

Mr. Hanbest here asked whether this question was to be decided by the laws of Maryland or him?

Mr. Ingraham said it was to be decided by the laws of Maryland.

Mr. Hanbest asked Mr. Ingraham whether his construction of the word summary was immediately; whether it did not imply a reasonable time for a man to consult with his counsel, get his witnesses and make his defence?

Commissioner Ingraham. I have put my own construction upon it.

Examination continued. Q By Mr. Hanbest. Knew that he run away from Mr. Knight a year before I worked for Mr. Knight; I used to trade to Wilmington, Delaware, with peaches; I fix 1838 as the time; I would not stop a slave either running or walking away from his master; I continued to know Rice, from 1838 to 1841; I built the house in which my store was kept, in 1840; I don't recollect seeing him after the spring of 1840; he had two or three runaways; he had one named John, who ran away; Knight was not then a married man, but was married before I came away.

Q. By David Paul Brown, Esq. I have lived in the city four or five years; I have not been engaged in this business of kidnapping.

Q. Are you not bound over to the Court of Quarter Sessions, on a charge of kidnapping?

A. I decline answering that question.

Q. Repeated.

A. That has not been proved; but I have been bound over. I have seen the boy (Rice) since 1841, in the Second street Market; I knew nothing of this arrest till a few minutes before 12 o'clock. I saw Thos. Price this morning. I knew of no arrangement to make the arrest. I have seen the power of attorney to Alberti; I told Alberti that I knew the boy Rice; I have no interest in this case; Alberti came after me; I did not tell Alberti where I was to be found; I told Alberti that I was bound over for kidnapping.

Q. How do you know prisoner to be Rice?

A. Why, I know him.

Q. How?

A. How do I know you, Mr. Brown?

Q. Repeated?

A. By his familiar looks.

Q. Is there no mark on him, or have you conversed with and heard his voice to enable you to say that he is Rice?

A. There is no mark, nor have I spoken to him since he was arrested, and there is nothing in his figure by which I can judge.

George T. Price, recalled. I know Mr. Knight; I lived near Mr. Knight; I knew he had a slave named Emery Rice; I knew he escaped; I don't know that this is the boy; I live No. 56 1-2 Gaskill street; I am a relation of the previous witness; I am his bail in the case where he is bound over for kidnapping negroes. I have written to Knight about his slaves; I have never written to him about this boy particularly; I have written to him.

Q. Had you any interview with Mr. Alberti, previously to this arrest.

A. I had several interviews with Mr. Alberti; he was pointed out to me three years ago; I have lived here since 1838; my business brought Alberti and me together.

Q. What was that business?

A. This is my business.

Q. Repeated?

The Commissioner. You need not answer that question unless it has some connection with this case.

Mr. Brown. It is the Commissioner's duty to decide whether it has any connection with this case.

Mr. Commissioner Ingraham. The witness is to decide whether it has any connection with this case.

The witness declined answering the question.

Q. Is any of the money that was between yourself and Mr. Knight in your possession?

A. No, sir. Mr. Knight asked me to witness this power of attorney; it was at Congress Hall.

Q. How many other persons were present?

A. About half a dozen.

Q. Who were they?

A. Mr. Spencer, a man named Davis and Owen Pennington.

Q. No body else?

A. No, sir.

Q. Was not Alberti there?

A. Yes.

Mr. Knight sent for me. I can't say who came for me. I don't know this boy.

Mr. Hanbest renewed the application for a postponement. On Mr. Brown's suggestion the colored boy was sworn. He was asked if he knew the nature of an oath, by Mr Lehman. He answered:

Yes, and that it was to tell the truth, and nothing but the truth. He said if he had time he could produce several witnesses, whose names were Henry Gibson, Julia Simmons, Rebecca Simmons, Samuel Anderson, Mr. Mason, some seven miles in New Jersey, Mr Burroughs in New Jersey, and several others whom he named, some of whom were in Wilmington, Del.

Mr. Hanbest said: The decision of this question is virally important to the public as well as to the boy.—This is the first case under the law before a commissioner, and the public should know whether this law clothes the commissioner with power to deliver to a claimant a party who has been arrested on a false pretence, without granting him reasonable time to consult his counsel, to collect his witnesses and to prepare his defence. Whether a free colored man, who has come from the State of New Jersey on an errand of business, and who has been arrested on a charge of stealing chickens and dragged before a commissioner, can under its provisions be sent on his way to a slave State, and thus be thrown into a prision, out of which no writ of habeas corpus, no judicial act whatever, can take him. If such be the construction of the word summary, no free colored man in Pennsylvania is safe. No free colored man is out of the power of G F. Alberti and his accomplice Price.

Mr. Commissioner asked how long a continuance was wanted.

Mr. Brown said only an hour.

The Commissioner then said that he had already been there three hours, and that before he came, the man had been kept in the adjoining room for more than an hour.

Mr. Pierce stated that the boy had been told that he had been arrested for chicken stealing, and that he had not known until he had been brought before the Commissioner, that he had been arrested as a fugitive; and then, the first opportunity was permitted him of consulting with his counsel. That the Commissioner had refused to grant him a continuance for a short time for that purpose, but had directed the examination to proceed instantly, and that the colored man had been surrounded by strangers, and could not send for his friends.

The prisoner here said that he had sent.

The Commissioner at this point directed a messenger to bring him a certificate. This occasioned some delay.

Samuel Anderson, one of the witnesses, residing in Philadelphia, who had been named by the boy, was now brought into Court and sworn:

I know this boy; his name is Adam Gibson; I have known him all my lifetime; he lived in Cecil county, Md; when I first knew him he lived with Robert Robinson; he after that lived with Parson Davis; we lived six miles apart; the water divided us; I never heard Parson Davis say that he was his property; I heard his mother say that he belonged to Parson Davis; I never knew him to live with Mr. Knight; in 1843 he lived in Kent county, Md., and lived with Parson Davis; I know of no relationship between Knight and Davis; I understood that he was set free by his master, at his death; I know of one boy Knight had called Emery, that carried a spring horse about; I am certain that this is not Emery that lived with Mr. Knight; Emery was rather taller, not quite so stoutly built, and was much older than this boy; I was born in 1818; I knew Mr. Knight's boy Emery some thirteen years ago; I know they called him Emery Rice; he is now about 28 years of age.

Cross-examined.—He first lived with Robert Robinson; he then lived after that with Parson Davis, and afterwards with Dr. Davis; his name was Adam Gibson; in Cecil county, Md., I lived with John B. Schell; I knew Emery going about with Mr. Knight's spring horse; this boy never went about with a spring horse; I came to Philadelphia in a steamboat.

Q.—Were you a slave, and who was your master?

A.—I never had a master.

Mr. Bushell lived about six miles from Knight's house; the water divided us; I believe he continued to live with Dr. Davis; his name was Adam, he lived in Kent county, Md.; I never knew him called by any other name.

[Here Mr. Brown read a copy of the will of Dr. Henry Davis, freeing, at his death, all his slaves upon condition that they would go to Africa, this Adam being one of them. The will was certified by the Register of that county.]

Daniel Wilkins, who had been found in the crowd, sworn—I live in Fettersville, State of New Jersey; I knew the father and mother of this boy, some twenty years ago; this boy was then a small child; I did not know his name; his mother's name was Charity; she lived with Parson Davis, in Kent county, Md; I left there some twenty years ago; I returned to pay a visit in 1845; I saw this boy, Adam Gibson, there then; that was the first knowledge I had of Parson Davis's death; I can't say how long he had been dead before that, as he had died since I left; this boy's mother was free then, and this boy was living then; he had no master then; I never knew Mr. Knight, nor his slave Emery when I was down there; his mother and he were living on Mill farm, Sassafras Neck; it did belong to Moses Cannon; I don't know who owns it now.

Cross examined—I left there when I was about 22 years old; I was a slave, and belonged to Mr. Stevens; I bought my time of my master, and he set me free.

Mr. Pierce addressed the Commissioner in behalf of the defence. He spoke of the character of the evidence, and the circumstances under which the respondents counsel found themselves in a judicial hearing, involving liberty or Slavery; they had been refused the delay of one hour to procure witnesses, and for what reason? Had the respondent been grossly negligent of an opportunity to communicate with his friends, he might still reasonably have expected to obtain a postponement of one hour; but he had not been so. He had hardly an opportunity of speaking to his counsel. Although he had readily given the names of several witnesses who resided in New Jersey; and although the testimony, that by accident was within his command, was sufficient if not to break down the claimant's cases, at least to raise some doubts as to its validity, one hour is denied him. But the evidence of the claimant cannot satisfy the Commissioner that this is the boy Emery. The witness, (Price) who pretended to identify him, the man who is under bail to answer the charge of kidnapping cannot point to any mark upon him, any peculiarity, and he does not even know that Rice was the slave of Knight. His business has been to carry vegetables and fruit from Penn, into the highly agricultural district of Cecil county, Md; a very improbable story; and your honor well knows, that this is the ostensible buisness of the men who carry in their dearborn wagon, chained and covered up free colored people who have been kidnapped. Why has not Knight come forward and offered here, a will or a deed; or why has he not produced witnesses whose characters entitle them to be believed? The only claimant before your honor, is G. F. Alberti a professional slave catcher. We have produced the evidence of two respectable colored men, who testify that they know this man to be the slave of Dr. Davis, and their evidence is corroborated by the will which they never saw.

Mr. Brown followed Mr. Pierce in a speech of great eloquence.

Mr. Lehman followed Mr. Brown. He said that he hoped that the Commissioner would discharge the boy if he had any doubt of his identity; that he had come there simply to discharge a professional duty, and that the claimants had taken the proper course in bringing their testimony before the Commissioner, and thus giving the respondent advantages which he would not have had if the affidavits of witnesses had been used instead.

Mr. Ingraham said that he had no doubt of the identity of the prisoner with the slave Emery Rice, and that all other proceedings must be before the Courts of Maryland, whither he would send him.

The prisoner has a wife and two children, who have not seen him since he left home on Saturday morning.

The prisoner was placed into the custody of twenty-five officers under Police Marshal Keyser and taken to the depot, Eleventh and Market streets. A large crowd of all colors, followed, but made no attempt to rescue. The prisoner was accompanied by Marshal Keyser and several officers to Grey's Ferry and at this place the prisoner was placed into the keeping of Lieutenants Neff, Corson and Pickering, to be taken to Cecil county Maryland.

THE CASE OF HENRY LONG.

The important fugitive slave case now pending in this city, and which has been thus far, so successfully and admirably contested will be found reported at length below. This report which is made from the daily papers and mainly the *Tribune*, we believe to be a very full history of the case thus far, and we publish it at this length, to the exclusion of other matter rather than abridge what is not only of vast importance but of deep interest in all its stages to those who from hatred of Slavery in general, or this special feature of it—the Fugitive Law—in particular, are watching these proceedings with anxiety.

Dec. 24.—The Commissioner's office was densely crowded this morning by persons anxious to witness the result of the investigation respecting the alleged fugitive slave, Henry Long. It was suggested to the Commissioner to hold his [illegible] room, but the Marshal, having consulted with one of the Judges said that it was necessary to continue the proceedings on the premises of the United States Court, and there was no other room but the one they were now in that could be appropriated for the purpose.

From the concourse that assembled, it now became necessary to station officers at the doors, in order to prevent any persons but the counsel, the representatives of the press, and the immediate friends of the accused from unnecessarily thronging the room.

Mr. Western appeared as counsel for the prosecution; Messrs. Jay, Whitehead and White, for the alleged slave.

Henry Long was brought before the Court in the custody of the Marshal.

Mr. Jay, on behalf of the accused, said that he solemnly protested against the proceedings being held in this room, to the exclusion of the public and the numerous persons who, as friends of the accused, were anxious to witness the investigation.

Mr. Western said that, conscious of the rectitude of the law under which they acted, he was not disposed to place any impediment in the way of the accused; but he would not suffer himself to be excited or influenced by any desire to create a mawkish feeling in the community. The Marshal has said, in effect, that, as this was a proceeding before an United States officer, we must keep it on United States ground, and under the United States flag, and he (the counsel) did not hesitate to say that justice can be administered in this room as well as elsewhere. True it is, that we are ordered, but we have several members of the press here. What is the result? Every sentiment that may be uttered—every word of evidence sworn to—will go on the wings of the wind to every corner of the United States, so that we may say it is an open investigation—open to the public, from one end of the United States to the other.

Mr. White asked as a favor—he did not demand it as a right that the Commissioner, for the convenience of counsel, would adjourn to a larger room.

A long discussion ensued respecting the propriety of removing to a more spacious room, in which the counsel for the alleged fugitive designated the proceedings as "star chamber," and against the intention of the act of Congress, which gave the authority—to this Court.

The Commissioner said that, so far as the remarks of the counsel for the fugitive, which implied a censure on him for holding the investigation in this room, were made, he would only say that they were wholly uncalled for and undeserved.

Mr. Jay begged to state that he did not mean to convey any censure to the Commissioner.

The Commissioner said the investigation commenced. He did not wish that the examination should be secret here. He had no power over any other room than this, and he was told that none other could be procured. The censure is, therefore, undeserved and uncalled for by any act or observations of his.

Mr. Jay begged to withdraw any implied censure that the Commissioner might have felt.

The commissioner directed that the proceedings should commence in this court, until it was ascertained whether a more spacious court room could be obtained.

Mr. Western then said that, as he understood the proofs of the claim to the labor of the man (Henry) were already established—the testimony of identity was also in—and the point that the fugitive owes labor is the only one on which he need adduce additional proof, if he establishes this, it would then be the duty of the Commissioner to grant his certificate for his return, which the act ordained to be summary.

Dr. Parker was again called, and examined by Mr. Western; he said—I have known Henry for the last five years; I was on a visit to the country in which his master resides, and met him there in his master's employ; I knew him first in Richmond, about four years ago, when he was sent to me by Dr. Smith (the claimant), to hire him out; I was not at home at the time he arrived, and my brother had partly agreed to hire him out at the Columbia Hotel. I gave him the bond myself; this hiring of him out continued for two years.

Question—During these two years, had you any communications with Henry respecting his position?

Mr. White said, as the act did now allow the fugitive to be examined, but treated him as a chattel, the counsel would not attempt to press a question of that kind.

Mr. Western said that he had a right to prove that Henry had admitted to the witness that he was the property of Dr. Smith.

Mr. White argued against the admissibility of the question. If the confession of the party is to have force and effect—if by the laws of the State the oath of the party is expressly forbid—it will require considerable ingenuity to make the confession good for anything. The master must establish his claim under evidence which is clearly admissible in law; and can it be gravely urged upon the Commissioner that the confession of the man is good for anything, when his oath is, by the same law, rendered good for nothing? Here is a man who, by the laws, is not a man, except for some purposes; but as a witness in his own case, he is not a man. Counsel, therefore, contended that the confessions of the alleged slave were not more admissible, coming through another party, than they would be coming from himself. Is it the law, that what the man says cannot be used to establish his own freedom, but that what he says can be used to establish the case of those who claim him as a chattel? Is there a case in Virginia where a negro can be produced as evidence against a white man? No; the law proclaims him an incompetent witness.

Mr. Jay followed, on the same side, and urged a similar argument.

Mr. Western replied, and said that the very argument of the counsel on the other side was, in itself, suicidal to their case. Their argument amounts to this:—"You can give the admissions of this man, because he is a slave"—the very thing that I am here to establish. They have not said so, in actual words; but that is the *rationale* to be drawn from their argument. The man stands there as a freeman until his Slavery is established, and, therefore, his conversations with the witness are perfectly admissable.

Commissioner—Repeat your question.

Q—Have you had any conversations with Henry, in Virginia, in which he recognized himself as the slave of Dr. Smith?

After some further argument, the Commissioner said, I think that the question of the claimant cannot be put. What the alleged slave said cannot be given in evidence. I will permit any act of his to be put in evidence to prove his servitude, to show the relation between him and the claimant; but no conversation must be admitted. The question is, therefore, overruled.

Counsel for defence excepted.

The examination of Dr. Parker was then resumed.

Q.—On your return to Virginia, in what position did you find Henry?

The question was also objected to by counsel for the accused.

Here a bust of Demosthenes was, by the throng of persons, nearly thrown from a case on which it was placed, and Mr. Western interrupted the counsel for the defence, by saying he wished to remove so as that it could not fall upon his head.

Mr White remarked that he hoped the counsel and his head would be preserved, for the purpose of being engaged in more laudable causes than that in which he now appeared. (Laughter.) Mr. White continued, at some length, to argue against the admissibility of the question proposed. He contended that as the Commissioner had decided not to admit the confessions of the man, he cannot receive in testimony against him his acts, for acts are confessions, and are likewise incompetent evidence. He said, see what it would lead to; a man may, by duresse, gain a free man of color to work for him, and would it be evidence of his Slavery to obtain witnesses to prove that they had seen him work in a tobacco field? that person might be sent to Slavery by the admission of his acts, whilst the law repudiates the negation of such evidence.

Mr. Western contended that this being a penal act, it should be legally construed on one side and the other. He (Mr. W.) did not limit his proofs to the man's own acts, but to circumstances surrounding him during the term of years he was known to the witness. There are hundreds, aye thousands, of slaves in Virginia held without one scrap of paper, and how else could their bondage be proved but by the evidence of his acts and the conditions in which he existed? He, therefore, insisted that there is a wide difference between the admissions of the man and his acts; the ownership of a man's horse is evidenced by possession; the ownership of his house is evidenced by deeds, but the ownership of his wheelbarrow is evidenced by possession. He (counsel) offered to show that this man came on 350 miles from Dr. Smith to Dr. Parker, to be hired as a slave; that he was hired out, and that Dr. Parker set up with him (Henry) one night in the capacity of a physician. He therefore submitted his right to continue with this examination.

Mr. Jay replied, and contended that evidence of acts of a party, while in a state of duresse, cannot be admissible. A law in South Carolina enacts that every colored person arriving at that place from any foreign port, may be taken into custody and delivered over to the Marshal, while the vessel remains in port; but before the vessel sails, the master may claim him from the Marshal, and the law enacts that he shall be delivered up to the master on his paying the jail fees for maintenance; if the master refuses to pay the jail fees, then the colored person may, by the laws of that State, be sold to Slavery for the fees due for their detention; now he had seen by the report in this day's *Herald*, that Doctor Parker admitted yesterday that he never saw the title deeds by which this man was held.

Mr. Parker said he had not said so.

Mr. Jay was not present at the proceedings yesterday, but he took the report from the *Herald*. The counsel then read the following extract from the *Herald*:

"Q—How do you know he was a slave? A—I have seen him at Mr. Smith's house, and I agreed to hire him out. Q—Did you ever see the title deeds or authority by which Mr. Smith held this man as a slave? A—No, sir, I have not. Q—Have you any other means of knowing that this man is a slave, than seeing him with Mr. Smith's [illegible] him out? A—I have not; except that I have heard my sister speak of him as being a very useful servant, and the property of Dr Smith. Q—Are not some of the black servants, in Virginia, freemen? A—Certainly: I have heard Mr. Smith speak of him as his servant; the servants and slaves both are engaged in the same kind of work, in Virginia; and black free persons, as well as slaves, are sometimes called servants; beyond what I have seen, and what I have heard from Dr. Smith and my sister, I have no knowledge of his being a slave."

The Commissioner was then asked to read his notes, and having done so, they were found to be almost verbatim with the above.

Mr. Jay said, then this report is virtually correct.

Mr. Parker remarked that he could explain the meaning which he intended to convey.

Mr. Jay continued. He denied that the right of property was, as stated by Mr. Western, proved by possession, and he maintained that no single act of this party, while under restraint, could be established as the *res jesta*. In case of chatels, except wild animals, they must belong to somebody; the case is different with regard to this man, they cannot prove their claims by the acts or admissions of the individual under such circumstances. Counsel, referred to 2nd Starkie on Evidence, page 28.

Mr. Fessenden, a volunteer counsel on behalf of the accused, wished to urge one or two observations. He said it would doubly enhance the severity of the law, if the Commissioner would admit the acts of this man as evidence against himself. Is it possible, he would ask, that a law, in a civilized land, would shut a man's mouth as to his own vindication and give his acts in evidence against him? He trusted that the Commissioner would hesitate before he gave such a construction to the act. The provision of the constitution of the United States has not the word "slavery" in it, from beginning to end. It says one whose services are claimed and is bound to service or labor, shall be restored; and it is applicable to a white apprentice as well as to a black man; the evidence of acts is in his (Mr. F.'s) mind inadmissible. If any law contains any such provisions, he verily believes that the Supreme Court of the United States, composed of gentlemen who have property in slaves, would set aside that law as contrary to the constitution of the United States.

Mr. Western and Mr. Jay having addressed the Court on the same subject,

The Commissioner said—No evidence appears in the case, up to the present time, to prove that the man Henry was in duresse, except as to the relations he occupied towards Mr. Smith. He (the Commissioner) did not know that the Court was to assume that Henry was in duresse, and he did not think that the duresse of slavery was sufficient to exclude the acts of the party as incompetent evidence. He thought, on the whole, that the testimony on this point was admissible.

Mr. White excepted to the ruling, though he did not know what advantage the exception would be to him.

The question was again put—On your return to Richmond how did you find Henry situated? Answer—I found Henry at the Columbian Hotel; he was a waiter there; I received his wages myself for Doctor John T. Smith, by right of a letter from Doctor Smith, and by previous agreement. Q—By what right, known to Henry, did Doctor Smith claim to receive his wages?

This question was also objected to by the counsel for Henry, and was ruled out by the Commissioner.

Q—Did Henry know you received his wages? A—He did. Q—How long did he continue in employ at the hotel? A—One year; he demeaned himself properly; he frequently came to me during the year as the agent of his master; he regarded me as his master in the absence of Doctor Smith; when I was leaving the city to spend the Christmas, I took him to the City Hotel and told him to remain there until I came back; I had made an arrangement to hire him out there, but when I returned I found that he was not there: he stopped at the City Hotel a day or two, but I found him about the streets; I censured him for disobeying my orders, and wrote to his master about it; I found great difficulty in getting him a situation afterwards; he (Henry) was hard to please, and wanted to hire himself, as his master had previously permitted him to do; I expostulated with him, and told him of the will of his master; after some difficulty, and seeing an advertisement from Haskens & Libbey, I went to them and they agreed to hire him; this was about the first of February, 1847; before that, Henry had been hiring himself, and never made any returns of his wages to me; in January, he had hired himself to wait on a sick man, at my request for which services I did receive his wages, which amounted to $9—about $1 a day: he hired himself, also, at the Madison House, and another place, for which he made no return to me, though I had told him to do so; during that year I saw him frequently, and I think I had loaned him money; he continued at Haskens & Libbey's during the year until some time in December, 1848; he disappeared about that time; I went to Rockets, a part of the town where he lived, and inquired about him; I saw Haskens & Libbey, and inquired what had become of him: Henry was gone, and I made diligent inquiry, and could not find him. Q—What did you do, as agent of Dr. Smith, when Henry was gone? A—I had no specific authority to advertise him, because his master was more than 300 miles distant, and did not expect him to run away. Q—What was your authority, or in what was it contained in relation to your agency over Henry? A—I had both verbal and written authority. Q—Have you that part of your authority which was in writing with you here? A—I have—(produces a number of letters.)

It being now past three o'clock, the Commissioner asked the counsel how many witnesses they had to examine, because, if there was no probability of finishing the case to-day, he would adjourn. Mr. Western said he had but one more witness. Mr. White said he did not think it possible to finish the case to-day, as they had eight or ten witnesses for the defence.

The letter produced from Dr Smith to Dr Parker, was ruled by the Commissioner as inadmissible. The witness said he had entire control over the man Henry. The cross-examination of Mr. Parker was then commenced, but nothing varying from that which was reported in yesterday's *Herald* was elecited.

By the Commissioner—Do you know the age of the man Henry? A—I do not.

Anderson B. Lambkin being sworn, deposed, that he knows Henry; he (Henry) was in Haskens and Libbey's employ, in Richmond, Virginia, and the man present, I am positive, is the same; he brought stores on my vessel two or three days before he ran away; it was two years ago this Christmas he ran away; I know it, because I was there all that Christmas; he was employed by Mr. Libbey, in the capacity of waiter, to carry stores on board vessels; I run a packet between New York and Richmond.

Cross examined—I did not know of my own knowledge, that he ran away, only I heard it.

Mr. White, upon the evidence, moved for the discharge of the prisoner upon the following grounds:—First, That there has been no satisfactory evidence offered, competent in law, to prove that the alleged fugitive, at the time he left Virginia, was held to service by the laws of that State.

Second, That there has been no satisfactory evidence offered, competent in law, to prove that the alleged fugitive escaped from Virginia, or from any persons therein, to whom, by the laws thereof, he owed service.

Third, That evidence has been admitted improperly of the acts of the alleged fugitive, and also evidence of acts and declarations of the claimant.

Fourth, That all the evidence adduced on the part of the claimant, as to his title to the services of the alleged fugitive, is inferential only, and that the law will intend nothing against liberty.

Fifth, That the act under which the claimant seeks to capture the alleged fugitive, is unconstitutional and void.

The Commissioner said he thought that the accused person ought not to be discharged at this stage of the proceedings.

Mr. White then handed in a writ of *habeas corpus* from the Supreme Court for the appearance of Henry Long, returnable at 10 o'clock on Thursday morning.

The Commissioner then said that the writ of *habeas corpus* would most certainly be obeyed by him. The prisoner must, however, be detained in the custody of the Marshal, and he then adjourned the case to Thursday, at 12 o'clock.

The accused was immediately conducted to the Tombs by about two hundred policemen. No disturbance occurred, though the conduct of one or two officers of the Fourth ward, whose names we have not learned, was calculated, by their rudeness to produce violence.

In front of the United States Marshal's office and its vicinity, a large body of colored people were congregated at an early hour, and among them a number of females; notwithstanding the inclemency of the weather, yet they huddled together in close conversation, discussing the probability of their brother escaping the pending charge. A very large body of police were in attendance, to see that matters were carried on without any disturbance, yet, in the face of the public authorities, an individual, said to be a white man, and one of the abolition leaders and speakers began to address the assembled colored people. He abused the Washington law-makers, and reflected on the character of the immortal Washington. This, together with language of a very inciting nature, tending to cause a breach of the public peace. The police thought it high time to interfere, and the speaker was requested either to be quiet, or to leave the place. These requests he refused most positively; consequently, he was taken into custody, and conveyed to the Tombs, before Justice Osborne. The magistrate here again told him, that if he promised to remain from the scene of excitement in the Park, he would allow him to go. The privilege he positively refused, saying, that his conscience would not allow him to do so; that he must lend his aid to the poor fugitive, and die with him if necessary. The magistrate, finding the prisoner was determined to return and create a disturbance, took the requisite affidavit against him, and held him to bail in the sum of $300 to keep the peace for six months. The prisoner gave his name as Edward de St. Remy, and, in default of bail, he was locked up in the Tombs. Otherwise, the colored people conducted themselves with the utmost propriety; not the slightest intimation of violence was the [illegible] all [illegible] the liberty of the reputed slave, should he be found, by the decision of the Commissioner, to be the property of John T. Smith. Between five and six hundred dollars, we understand, has been subscribed already for the purchase of the fugitive. It is said, however, that the value of the slave is held at one thousand dollars.

Third Day, December 26th.

The further examination in the case of Henry Long, claimed by Mr. Parker, of Richmond, Va. (as agent for Mr. Smith, of Russell Co. Virginia), as a slave belonging to said S., having been adjourned to 12 o'clock yesterday, the Commissioner sat, as before, in the small private office of the Clerk of the Circuit Court: Mr. Western, counsel of Mr. P., also Mr. Jay, for defence, with Mr. R. and a few other gentlemen being present.

The Commissioner inquired if the parties were ready to proceed, when Mr. Jay read to the Commissioner an order made by the State Supreme Court, postponing the hearing on the Habeas Corpus till Friday, at 10 o'clock, and requiring the Commissioner, at that time, to produce the person of the said Henry Long, &c.

Mr. Western said that he was in the Supreme Court, and denied that such an order had been made. He was there to oppose such an order, and to show to the Supreme Court that they had no power over the matter; but neither of the gentlemen by whom the *habeas corpus* had been caused to be issued were present to move it, and the Court, of its own volition, ordered a postponement, but made no order, nor would they have done so. The writ, in itself, is good for nothing. In the first place it says the man is in custody on a warrant not issued by any Court or Magistrate; and, secondly, it commands you to produce said man before that Court when you have no custody of him, he being in custody of the Marshal. The law requires you to proceed forthwith in a summary manner, without postponement, in proof of which I will refer you to the language of Mr. Justice Story, in his Commentaries, who says that the duty of a Magistrate in such a case is the same as that of a preliminary examination for reputed crime, with a view of commitment. If a *prima facie* case is made out, you are bound to issue your certificate to the claimant, and surrender him. "We have produced our evidence, and the opposite side were called upon for theirs, but they have neglected or refused to do so." There is nothing to prevent the case being concluded, and the Commissioner is bound to proceed.

Mr. Jay said it was understood the case will not be proceeded in to-day, and he so informed his associate counsel, Mr. White, who is not present. As to the order just read from the Supreme Court, it has been signed by the Clerk of the Court, which is proof of its authenticity. As to the wording of the habeas corpus, it is not as the gentleman said, but states that the party is detained not by process of any Court or Judge; it does not mention Magistrate. As to the right of habeas corpus, the opinion of Mr Crittenden, the law officer of the General Government, made to the President, by request of the latter, before he signed the law, is proof that it pertains to this law. Mr. C. states that it says nothing about the habeas corpus, and does not prohibit it, for if it did the law would be unconstitutional, as the Constitution secures the right. It is a privilege which has been unimpaired and sacred ever since Magna Charta, obtained from King John. The object of the present habeas corpus is to get the whole proceeding under the law reviewed, and its constitutionality tested. It has been got out, not before a single Judge, but before a full bench, so that it may go, if necessary, directly to the Court of Appeals, thence to the Supreme Court. There is much feeling on this subject throughout the country—its constitutionality has been denied on the one hand and upheld by the other. It is proper for the Southern States as well as for the North, that the constitutionality of this law should be fully tested. The meetings in relation to the law are prejudicial to the country, and its validity, or otherwise, should be declared by the highest tribunals. He considered that the Commissioner, under the *habeas corpus*, had no power further to proceed. A return had not been made by the Commissioner this morning, as had been expected, and it was only from confidence in the good faith of the Commissioner that an attachment had not been asked for. The gentleman on the opposite side is mistaken when he said I was not present at the adjournment. [Mr. Western explained that the adjournment had been ordered before Mr. J. came in, although it had not formally taken place.]

Mr. Western contended that the Commissioner had no power to obey the writ. He also commented on Mr. Jay taking merit to himself for not issuing an attachment, which Mr. J. disclaimed.

The Commissioner remarked that he had stated, on the Habeas Corpus first being served upon him, an intention to obey it, and he intends so do so still. In regard to the return, yesterday being Christmas, he had not had an opportunity to prepare it, but did so this morning, and on entering the Supreme Court for the purpose of making it, he was informed that the Court had adjourned after being a very few minutes in Session.

but he would make no order of the kind to the Marshal, who might act on his own advisement.

Mr. Jay wished the court to say whether it would be the duty of the Marshal to bring him up or not.—Judge C. said he was not ready at present to determine the matter.

The Court then adjourned and Henry was taken back, attended by a strong body of Police to the Commissioner's Office, where testimony was produced on his behalf.

John Butler, a colored man, was sworn. Resides at 217 Centre street; born in this city, at 225 Forsyth street; know Henry Long, who is present; I first saw on the day I was engaged as coachman to Mr. Nicholas Stuyvesant; I met him driving a carriage in Broadway; met him every fine day when I drove out; I went to Mr. S.'s in June; saw Henry at a Ball at Maugers, near Grand street, in February; he was then introduced to me as Mr. Long; I had always bowed to him as I met him; I remained with Mr. S. till the February succeeding that, and next February will be two years since I left Mr Stuyvesant. [It was stated on behalf of claimant, that long left Richmond two years ago.] He drove carriage from a stable in Mercer-st. between Bleecker and Houston; he afterward went to waiting; previous to going to Mr. Stuyvesant's I drove carriage for Dr. Kyprus, corner Ninth-st.; I have recently worked in the flour store of Allen & Whittlesey, and sometimes drove the cart; saw Henry last Saturday. [There were minor questions asked the witness.]

Fifth Day, December 28th.

The Counsel for the defence opened the proceedings by calling

Elizabeth Dixon, who was sworn.—I live at 129 Elizabeth st.; I was born in New York; I am 22 years of age; I know that man (pointing to the alleged fugitive;) I know him by the name of Henry Long; I first became acquainted with him in November, 1847; I have known him since that time; I have not been in the habit of seeing him very often since 1848, when he left my house; I have only seen him three times since then; it was the winter of the year '48 he left my house; I think it was the month of February '48; from the time I first knew him, in Nov. '47, till he left my house in Feb. 48, I was in the habit of seeing him daily; I think it was February, but I am not certain; he boarded with me during that time; I am positive as to the fact that I first knew him in November, 1847. Q—Is there any circumstance which fastened that date on your memory? A.—Yes, sir, I had sickness in my family; my husband was sick six weeks; I then lived in Spring street; my landlord was Mr. Fowler, who lived at the corner of Mott street and Grand, where he kept a shoe store; during the time Henry Long lodged with me, he worked down town part of the time, and part of the time he was waiter; after February, 1848, I do not know what become of him; I am confident the man who sits here is the same man who boarded at my house; I had no other boarders; my husband is now down town; I don't know who he is working for; he works "along shore."

Cross Examined.—I can write; I have no memorandum in writing showing the time he came to me; I have house rent receipts taken at that time; I have them at home; I have examined them to see that I was accurate as to date of Long's being with me: there is a Mrs. Stansbury, 70 Spring street who knows of Long's living at my house; I do not know if Long came from the South when he came to my house; I don't know where he was brought up; I don't know if he came to New York by water; I do not know if he came from Richmond, Virginia; I would not know by his voice whether he was a Southern man or not; he never talked of the South to me; I never knew him to drive a carriage.

Counsel for claimant asked for and obtained a subpœna for John G. Barker.

Cross-examination continued.—While he boarded with me he was part of the time a waiter; I do not know where, but it was at some hotel in the city, he used to work "along shore" down town; he went to board with Mrs. Stansbury, in Mulberry street when he left me; I don't know how he has been employed since he left my house; I have never been in Florida; I was married 27th April, 1846; five years next April.

Direct examination resumed.—When he worked down town, I don't know what he did, the reason he left me and went to Mrs. Stanbury's, was because I expected to be sick, and had not room for him; it was I who spoke to Mrs. Stanbury about taking him.

To the Commissioner—The first time I ever saw Henry was at the time he came to my house; he brought a small trunk with him; I don't know where he brought it from; that was all he brought; when I spoke to him I always called him Henry.

Mr. Western requested to put another question to the witness; the Commissioner said the examination was concluded before he read over his notes to the witness. Mr. Western excepted to the ruling of the Commissioner.

Emeline Stanbury deposed.—I now reside at 70 Spring street; I lived at 240 Mulberry street, in January, 1848; I know Elizabeth Dixon; she lived in Elizabeth street in January, 1848; I knew her when she lived in Spring street; I live now in the room she moved out of; I know this man who is now in custody; I first got acquainted with him at Mrs. Dixon's house in Elizabeth street; he (Long) boarded with me; I can write; (paper produced;) that is in my hand-writing; the contents are true.

Mr. Western objected to the paper being produced to the witness without having been first shown to him.

Question.—Did you ever see that paper, and in whose handwriting is it? A.—I did; I believe it to be mine; I gave the packet to Mr. Long, the person in custody.

Mr White proposed to offer the paper in evidence.

Mr. Western objected.

The paper was as follows:

"New York, Jan. 24th, 1850.

"Henry Long contracted to pay Mrs. Stanbury one dollar and a quarter a week for board."

Witness continued.—That paper was written by me the day it bears date; I gave it to Henry after I wrote it; he commenced boarding with me in January, 1848; I got acquainted with him in November, 1847; I don't remember who spoke to me about taking him to board; he came to me from Mrs. Dixon's house; I don't believe I can be under any mistake about his coming to board with me in January, 1848; he stopped with me nearly two months; I can't say how often I saw him at Mrs. Dixon's: I used to go round there once or twice a week and didn't miss seeing him one time out of ten.

Mr Jay here said if Mr. Hall would allow him to interrupt him he would serve a subpœna.

The Commissioner said he must not be interrupted in what he was doing.

Mr. Jay said proceedings were before Justice Campbell and he held a subpœna.

Mr. Western said they might as well serve a subpœna upon him.

Mr. White said all he had to do was to hand it to Mr. Hall, and Mr. J. presented it.

Mr. Hall said they had a right to serve him with what they liked, and then directed counsel to go on.

Witness resumed. Henry went to board with Mrs. Gould in Church-street; I have seen him about three times since; I did not live in the house with Elizabeth Dixon when he boarded with her; I lived at 240 Mulberry-street. I did not know of my own knowledge what his business was; I cannot be mistaken as to this being the person.

Cross examined. I have never seen a man I could mistake for him; I sometimes visited Elizabeth Dixon in daytime and sometimes in the evening—more in the daytime than evening; did not see him so much in the daytime as in the evening; sometimes saw him in the daytime other than on Sundays; she occupied a room and a bed-room; that is all I know; I know I did not make a mistake of a year in dating the paper; my mother's husband went to California on that day; it was in the ship Tarolinta; went as a waiter to company on board.

Mr Western wished to test the accuracy of the witness as to recollection, by asking what was the name of the first chapter in the Bible.

It was objected to by Mr. White, who asked whether or not Mr. Western could tell what was the name of the third book?

Mr. W. thought he could.

The Commissioner allowed the question.

The witness answered, Genesis.

Mr. Western then asked her where the Saviour was born?

She answered, in a manger.

Asked her in what country?

Could not say exactly.

Mr. Lewis Tappan asked Mr. Western to state what was the name of the last chapter in the Bible, when Mr. W. replied he could not, but he knew it ended with the word curse.

Mr. White said he thought the examination not exactly correct. It is not to be supposed she would be very perfect in geography. Mr. Western said, Oh well, that will do; she has exhibited more intelligence than I thought she had. Mr. White said he expected that she knew more of Scripture than all the counsel put together.

Mr. Jay here offered to Mr. Hall, the Commissioner, fifty cents as tender of fee with subpœna. Mr. H handed it back and said he would not take it. Mr. Western said out of respect to the Court issuing the writ he would indorse on the back that he was engaged in official duties, and that would save the attachment.

Mr. White said that they would have an opportunity of trying that, as they intended to issue an attachment against all who disobeyed the subpœna.

Mr. Jay said the subpœna stated "all business and excuses being laid aside.

Mr. Western said "Very well, I am ready to fight the State of New York."

Mr. Western asked for two subpœnaes to serve on Capt. —— and Mr. Clover—and asked the witness, who had left the stand, what was the name of her mother's husband—she said Peter McLeod.

Mr. White remarked that they had other witnesses, but as there was a proceeding pending before Judge Campbell, they had subpœnaed the Clerk of the Circuit Court, Mr. Hall, and others, to attend it, and they would have to go there now.

The Commissioner directed the case to go on, and asked Messrs. White and Jay if they had any further witnesses. Mr. White asked him to stop a minute till they had prepared a certain paper. He would like to see what all the consultation of clerks and bailiffs are about

Mr. Western said the counsel was on United States ground here. Mr. W. was obliged to him for the information, he also considered he was in the State of New York.

Joseph W. Smith sworn. Resides at, 136 Reade-street; lived in New York 15 or 16 years; follow the business of painting, calcining, &c.; knew Henry Long, present; have seen him about New York for some time, I suppose three or four years, and perhaps more; remember a circumstance about Feb. 1848; I had visited a man in Church-street named James Buck, now deceased, I believe; my object in visiting him was, as he kept a miserable rum hole near Zion Church I had a strong desire to induce the proprietor to become a member of the Temperance order, and found this man there; it was not much praise to him, I must say; I do not know if it was the first time I met him there on the occasion; I appealed to him also to become a member of this institution; Buck told me he would, but this man (Henry) would'nt; he had no objection to the lodge, (which was the Independent Order of Good Samaritans,) but he did not like the temperance part; Buck, however, did afterward join and broke up his rum hole, and in March our members had increased so much that our colored Lodge determined to present a silver chalice to the Grand Lodge of New York, which we did; Buck contributed, but Henry would not join; I am perfectly certain that the man sitting here (Henry) is the man who in February, 1848, I saw at Buck's; I applied to Robert D. Hart, Secretary of the Washington Monument Association, who was also Secretary of the Grand Lodge; it was about the 6th or 7th December, 1849; I made out my petition, with others, for admission to the Grand Lodge of the Order, which, on the 14th December, 1847, was granted; a few days afterward 14 or 15 colored men were initiated in the Grand Lodge, corner Hudson and Canal, and they granted us a charter and opened a Lodge called Fountain Lodge No. 1; I am positive as the time; it was the first time a society of colored men had been admitted to form a portion of a Grand Lodge of white men in this city.

Previous to this Mr. Griffin had come in and spoke to claimant, and soon after ward Mr. George Wood entered, and was announced by Mr. Western as being associated as counsel with him.

The Marshal had also previously entered and stated that the proceedings in the Supreme Court had been adjourned to 2 o'clock, that a subpœna had been served upon him and he meant to obey it.

At 2 o'clock the Commissioner suggested it would be well to take a recess, which was ordered till half past 3 o'clock.

The Marshal and other gentlemen then repaired to the Superior Court.

SUPERIOR COURT.

Before Judge Campbell.—*Habeas Corpus.*

The proceedings in the writ allowed on Friday, relative to Henry Long, claimed as a fugitive from Slavery having been adjourned to Saturday, soon after 2 o'clock the U. S Marshal and other officers appeared. Judges Duer and Mason were also on the bench, associated with Judge Campbell. It was stated by the Marshall that Henry was in the Marshal's office, but Messrs. White and Jay thought he had better be brought into Court, and he was so.

Mr. White called Charles H. Hall to the stand. Mr. H. was present and took the stand.

Judge Campbell. We are not aware that Mr. Hall's authority can be questioned. We have the certificate saying he is a Commissioner, and my associates so say.

Mr. White. Probably your associates, sir, do not know the points. Mr. W. then alluded to the fact that the Marshal claimed to hold the man by virtue of a warrant issued by Charles M. Hall, U. S. Commissioner. In the answer, said Mr. W. it is denied that Mr. Hall had any right to issue the warrant, not having been appointed a Commissioner by the U. S. Court agreeably to the provisions of this law of 1850. Mr. H. I believe claims to act as Commissioner by virtue of a rule of the Court which we contend gives him no power, and an issue as to his authority has been formed. Mr White made other remarks and the testimony was allowed.

Mr. Hall, sworn. Reside in this City, and have resided here since 12th of this month; prior to that, in Columbia county.

Q. Have you ever received directly, from this or any other Circuit Court, an appointment as Commissioner.

A. As I understand the matter, I have.

Q. Did the Court ever appoint you, by name, a Commissioner of that Court.

A. Yes, according to my knowledge of it.

Q. How were you appointed?

A. By an order of the Circuit Court of this District, made in October last and entered in their minutes.

Q What is the order?

A Cannot give the whole of it.

[Court said the minutes should be produced]

Witness. Do not mean to be understood that my name was mentioned in the order, or I was appointed on that day, but by virtue of the order made on that day.

Q. How did the order allude to you? Did you hold any office at that time, sir—what did you do?

A. I was practicing law on that day; held no appointment. [The Commissioner is a very young, and apparently a well meaning man.]

The order was produced. Witness thinks he holds his situation by virtue of it, and as being the Deputy Clerk; was not so at the date of the order: it was 10th October.

The Court considered it in evidence.

Witness. I was appointed Deputy Clerk on 13th Dec: entered upon the duties at that time. The Clerk appointed me the Deputy Clerk; I claim to act as Commissioner under the rule—the order I speak of; do not know whether the previous law made me Commissioner or not.

The witness then withdrew.

Judge Duer asked Mr. J. Prescott Hall if it had not been the mode of appointing Commissioners for several years.

Mr. H. answered that it had been: it was by designation of the office held rather than by name.

Mr. White replied that it made no difference what had been the previous practice. The question was whether the appointment was according to the law of 1850, and we say that Mr. Hall had no authority to issue a warrant for the arrest of any person whatever.

It appeared that the appointment was made by virtue of an order of the Court of October, which stated that the clerks and also clerks of the Circuit and District Courts, and other officers named, shall act as commissioners. It was also shown that the deputy clerks are appointed by the clerks.

Mr. White presented argument in which he contended that the appointments must be of particular persons, and that those persons must be, if the rule is allowed, the individuals that held those offices at the date of the order. Beside this the law gives to the U. S Circuit Courts the power to appoint Commissioners, but it does not say the Court shall delegate that power to a Clerk to appoint Commissioners. Mr. Hall, it is shown, is a subordinate of the Clerk of the Court, appointed by him and dischargeable by him at pleasure, and it is not to be supposed that Congress intended to give power to an individual thus situated to act in a judicial capacity. Mr. W. made a long and able argument on the subject.

The Court inquired if Counsel appeared on the other side, and were told it was believed they did not intend to appear.

Mr. J. Prescott Hall, U. S. District Attorney, who was present, said he only appeared as the Counsel of the Marshal.

Soon afterward Mr. Western came in. He said he did not come to say anything, but to protest against the power of the Court to entertain the *habeas corpus*. He also said that he had not had the eight days' notice required by the statute on writs of *habeas corpus* before a decision was made, and he demanded it.

Mr. White said they offered yesterday to give the gentleman eight days, or twenty days, if he pleased—but all they wanted was that the Court would make an order by which to insure the forthcoming of the man, and to prevent their carrying him off; and he would move that Henry be placed in the custody of the keeper of the City Prison till the case is disposed of; or, if the Marshal would pass his word for the forthcoming of the man, that is all they would require.

The District Attorney said he would not advise the Marshal to make any such promise, or any concessions, and contended that this Court had no control over the matter.

Mr. Western also made objections to the Court entertaining a *habeas corpus*, when Judge Duer remarked to him that he did not appear for any one. Mr. W. replied, no, sir, and I can leave if it please you. He then took his hat and left the room.

Mr. White rose and remarked in a playful manner, that when the great excitement is over occasioned by the gentleman leaving he would say a few words more and insist upon the right of the Court, now that the man is before them, to retain his custody. It was no use to have the mere form of a habeas corpus if they cannot retain the custody of the party. In the present case, if he is surrendered without order to the custody of the Marshal, a certificate may be issued by Mr. C. M. Hall claiming to act as Commissioner, and the man carried out of the jurisdiction of the Court.

Judge Duer thought that the Court had a right to control the attendance of the party to abide the decision.

Judge Mason also made remarks.

The District Attorney stated that he would call the attention of the Court to the situation of the Marshal under the third section of the law—he is liable to a fine of $1,000, and pay the loss to the owner of the slave whatever damages he sustained, should the man escape. He has no right to inquire whether the officer issuing the warrant is duly empowered or not. Should the man be taken from his custody by this Court, and the District or Circuit Courts of the United States afterward said that the man had been duly appointed, then the Marshal would be liable to all the penalties of the act. An act such as asked for will make a conflict between the United States and State Courts. All the Marshal wants is protection. If your Honor take this man out of his hands you will take him by virtue of your superior judicial and potentional powers. The Marshal is not going to surrender him to any mortal man. He is a party to no proceeding which will take the man from his custody. Mr. H. made remarks to show that the Marshal was bound, under the law, to retain the custody of the man, and that it would be improper to grant the motion.

Mr. White, in reply, said the Marshal is under the same obligation to have the man here on adjournment as to bring him up in the first instance. If the Court, under its powers, see fit to discharge the man that is a sufficient discharge for the Marshal, and is not an escape such as contemplated by the act.

Judge Campbell, (before whom the writ was returnable,) said it was time enough to talk of conflict when it comes. All I know is, the Marshal holds the man under a warrant from Charles M. Hall. I have no doubt the Marshal from his character as a man and an officer, will do what is right, and I should consider myself as exercising pretty high authority to take him out of the Marshal's hands. He knows what his legal rights are. When called upon to produce the man I shall expect the Marshal to have him here unless good reason is shown to the contrary. The case must be adjourned till Monday week, so as to allow the counsel the eight day's notice required by him.

Mr. Jay asked the court to signify to the Marshal they would consider it his duty to bring the man up at that time, which the court assented to

The court then adjourned, and Henry was reconducted by the officers to the room of the commissioner.

UNITED STATES COMMISSIONER'S OFFICE.

On the return of the counsel and parties to the U. S. Commissioner's Office, the witness Smith was cross examined by Messrs. Western and George Wood, (who had become associated for the plaintiff:)

I lived at the corner of Centre and Leonard-sts. at the time I went to Buck's in Church-st.; I had lived there about twelve months; it was not the first time I had seen Long; I had seen him before in the street and at Zion's Church; I made no memorandum in writing; it is not usual; I do not know how long before; I will not swear to any particular time; think I am safe in saying it was six months before, and will swear to that; it was in 1847; did not know his name then, nor where he lived; never did know where he lived; he talked to me when I saw him in Buck's hall; I observed him only from his face and looks; no two negroes look alike; his face looks different from other men; [there does not appear to be anything peculiar; Henry is of rather long face, chin projecting;] did not observe any marks about him; will swear positively he is the man; this is the third winter since; do not know whether or not he ever drove a coach; do not know how he was employed, he was sitting at Buck's; do not know that he had been drinking; I call all people who visit porter-houses and such places idlers. [Mr. Western said they would show their man, Henry, to have been a sober, industrious fellow.] I have not been intimate with him since; have often seen him since, oftener than six months; seen him in the street, in churches and at temperance meetings; saw him generally in the daytime; think I saw him as a waiter on board a Sound steamboat in July, 1848; I was going to Fall River, but got on the wrong boat; changed to the Bay State; saw Henry on board the first boat.

Several other questions were asked, but nothing of particular importance, and the further taking of testimony adjourned to Monday at 12 o'clock.

Sixth Day, December 30th.

An attempt was made this morning to put a "summary" end to the case by trickery but was fortunately defeated. The probability was that the Commissioner would be compelled to discharge Long on the evidence, Mr. Western, therefore, declined all further proceedings before the Commissioner, and requested him to discharge the warrant The object, we presume, was to set aside all proceedings, and throw all parties into their original relations, that Parker might seize upon Long and by some trickery, as well as "summary" proceeding, escape with his prey from the meshes which the ingenuity of counsel had wound around him. But the plan, whatever it was, was defeated by the prompt appearance and action of Mr. Jay. The Marshal then appeared with a new warrant from Judge Judson of the U. S. Circuit Court, where the case was taken. We proceed in the Report:

BEFORE THE U. S. COURT.—The U. S District Court, at the time, was in session. The Judge stated that the business of the District Court would be suspended, and that of the Circuit Court (alluding to the case of Henry) proceed. Mr. Jay asked for time to send for his colleague, Mr. White, which was granted, and some little delay took place.

Mr. Jay came in and said he was unable to appear now, because a motion is pending before the Commissioner, Mr. Hall, before whom a motion was made to dismiss the proceedings. When we objected to his doing so, the claimant put in his testimony, and we rebutted, and we deny the right of the claimant, after he had chosen his Commissioner, and the case has been a week pending before him, and it is almost certain that the man will be discharged. We deny his right now to withdraw the case, and commence it anew before your Honor. We ask your Honor to postpone this till after a decision by the Commissioner, when it will be adjudicated.

Mr. Geo. Wood, in behalf of the claimant, said it was a singular case—is a proceeding which has been ordered to be summary, and yet it has been kept on a week. The gentleman have objected to the jurisdiction of the Commissioner as not regularly appointed, and gone to the State Courts with writs of habeas corpus, one of which is hung up till 6th January, whereas the matter wholly belongs to the Federal Courts, under the Constitution of the United States. How the gentleman knows that the man will be discharged Heaven only knows. The present mode of proceeding is a denial of justice. Here is a gentleman come some several hundred miles, with testimony, and there are certain gentleman here starting up to back their fugitives, and claiming a right to the higher law. In order to prevent any further question we discontinued the proceedings before the commissioner and brought it before your honor, where the gentlemen have an opportunity to try the matter on its merits.

Mr. Western said the warrant had been discontinued by the Commissioner before the new warrant was granted.

Mr. Jay denied that it had been dismissed by the Commissioner before the new warrant had been granted. He was making a motion in opposition to it when the new warrant was served. In regard to persons starting up to aid these alleged fugitives, he would ask if those coming to claim them did not find friends? Mr. Western, the first counsel, was employed, he knows, by the claimants of the man, but has not the other counsel (Mr. Wood) been engaged by a powerful association in this city on behalf of such claimants. Effort has been made on the part of a portion of the Press to prejudice the case and compel the Commissioner to give a certificate. All they wanted was to have the proceeding regular. In regard to the writs of Habeas Corpus, more have been issued than had been intended. The object was to test the constitutionality of the law, and also to ascertain the Commissioner's authority to act. His colleague is not present, and he hopes the case will not to day proceed.

Mr. Western rose and stated that he would show, as before, every courtsey to the gentleman, and, although it is a summary proceeding, he would move that it be postponed till to-morrow at 12 o'clock, when he hoped it would go on despite of writs of habeas corpus, absence of counsel, or anything else.

The Judge remarked that from what has been stated to him, and the claimant having produced evidence of the discharge of the case by the Commissioner, that matter will not be gone further into. I say, without newspaper, or other influences, I will give ample time for the trial of this case on its merits, and will also say I have invited my brother Betts (Judge B.) to take a seat alongside of me. He will take no part in the proceedings, but simply hear, with me, the case. This matter stands adjourned till to-morrow at 10 o'clock, when it must proceed.

Mr. Western soon afterward suggested to the Marshal (who was standing beside the Judge) not to place Henry again in the City Prison, but to keep him on United States ground, even in the City of New York. The Marshal stated to him he need be under no apprehensions, he would take care of him, and the man should be here to-morrow morning, dead or alive.

The Judge remarked that there need be no fears on that account, and he would give it to be understood that no person is to interfere with the Marshal as to the custody of the man. The Marshal replied to the Judge that he thanked him. The whole of the parties then left the Court.

On the warrant first being returned by the Marshal, the Judge handed it, with the affidavit to the U. S. District Attorney, Mr. J. P. Hall, and asked him to examine and see if they were correct. Mr. H. did so, and returned for answer that they were perfectly correct agreeably to the law.

THE NEGROES IN SOUTH CAROLINA.

THE Committee to which was referred that portion of the Governor of South Carolina's message relating to the removal of the free colored population have made the following singular report. It is remarkable that among a people outnumbered by the negro population, and which is ready to sacrifice every thing for their perpetual servitude, something of the spirit of humanity should prevail towards them. South Carolina, however, is altogether an anomaly; though she sometimes blunders to right conclusions, it seems always to be from wrong motives In this case she is moved to retain her free colored population in opposition to what she believes to be the spirit of Abolition—clearly ignorant that the slaveholders never had a better ally than the Colonization Society, and that the policy which is recommended to be used towards the free people of color is that for which Abolitionists have always contended. The *Charleston Mercury* in publishing the report says:

"The free colored population is kept up only from within itself. And under this restriction it will be found that it is undergoing a steady process of extinction. The Charleston census shows a decrease from 2,107 in 1830, to 1,492 in 1848. Partly this decrease, which we believe to be in different degrees, general throughout the State, comes from their voluntary emigration to the north. If they leave the State they cannot return. But there is another cause for it. The mixed race, (which the largest part of the free-colored population belongs,) is not fruitful. Its vitality, as a general rule, is neither equal to the white nor the black race. It is an exceeding doubtful question, whether by itself it could survive beyond three or four generations. We do not assert this; but common observation favors it, and scientific researches have gone some way to sustain observation."

The mixed race which forms the free colored population, is described by the same journal as penceable and orderly, with no disposition to conspiracy or riot, and a great proportion of them industrious, sober, and useful. The Mercury adds, which is somewhat remarkable, that "many of them are slaveholders."

SOUTH CAROLINA HOUSE OF REPRESENTATIVES.

The Committee on Colored Population, to whom was referred so much of the Governor's Message as relates to the removal of the free negroes from the state, ask leave to

REPORT:

That they regard the subject involved in this inquiry, as one of the very gravest import—and surrounded by difficulties of great embarrassment. It is comparatively of novel impression in the State, and has never been to any extent considered by our citizens. To carry out the recommendations of the Governor, would involve the existence and recognition of the principles of the Colonization Society, an Institution which has never been in any favor in South Carolina. About twenty years ago there was a feeble effort made to establish one of these societies in the State, it lingered out a sickly existence, and in a short time expired and with it the discussion of the question.

It is a fact not to be overlooked, that the spirit of abolition at the north first commenced its operations under the patronage and authority of Colonization Societies, and most of the advocates and promoters of those measures are now violent abolitionists—so that the public mind in this State, so far from being directed towards it, may be said since the agitation of the Slavery question at the north, to have been entirely diverted from its consideration. And the conclusion very legitimately and justly to be drawn from these facts is, that there is no settled policy indicated on this subject in this State

Your committee are free to admit, that it would be much to be desired—that there were but two classes in a slaveholding country—the masters on the one hand, and the slaves on the other—that an intermediate class possessed of some legal privileges, besides being anomalous, presents a constant source of discontent to those who are lower down in the scale; the slaves seeing the privileges and immunities enjoyed by the free negroes, long to be elevated to their condition, and discontent and dissatisfaction ensues in regard to their more servile condition. The only plan to be adopted as a remedy of this condition of the subject, would be the dismissal of that entire class of population; this would operate with peculiar hardship and injustice on some. Many are the owners of land and slaves, and are bound to the soil by all those associations (though in a less refined degree) which characterize the feelings of the white race—we have extended to them civil and legal privileges, which have cultivated and strengthened these feelings; and suddenly, without fault on their part, they are to suffer the severest of all punishments, namely; expatriation, because we have chosen to change our policy.

It cannot be denied that there are in the State many free negroes, who, from bad character, idleness, and dissolute conduct have become nuisances to their neighborhoods. These cases can be met by judicious penal legislation sufficient to repress the evil without resorting to the extreme measure indicated by his Excellency.

Your Committee, are also impressed with the great difficulties which would arise, as to the mode and measure of the removal of these people. Is it proposed to confiscate their property to raise the means, or would the State incur this expense? It would require a large amount of expenditure to effect it properly, and it is very much to be doubted, whether our people are prepared or willing to sustain this expense at the present time.

In conclusion, your committee are of opinion, that it would ill comport with the true character of South Carolina, whilst she was struggling for her rights in the property of the African race as slaves, that she should be found imitating the example of a selfish and heartless people, who, whilst they commit robbery and plunder of our property, under the pretence of sympathy and attachment to the African race, are the perpetrators of the most cruel and unfeeling conduct to those of the race who have the misfortune of being a part of their population. Let us hold out to the world, whilst we assign them a subordinate position, both in our political and social arrangements, we regard the obligation not less binding, to extend to them all the protection and countenance, which their own conduct will admit of; and this we are confident will not be the less obligatory, because of its dependence on our own consciences and sense of duty

Your committee are of opinion, that the recommendation of the Governor as to the taking of a census of this population, should be adopted, as it would furnish useful and important information, and may be necessary for future legislation.

Respectfully submitted,

J. HARLESTON READ, Jr.

Chairman of Committee on Colored Population.

Domestic Correspondence.

From our Boston Correspondent.

NO. LXXII.

THE ARGUMENT.—*"The great and terrible Lord Mayor"—Who was to blame?—Municipal Modesty—Our Impartiality—A strategic Marshal—Our quarters beaten up—Consternation—The saddle shifted, but the wrong horse—Unconquered prejudices of the colored people—Craft and the United States—Rights of the Unhanged—Lion-port of Marshal Tukey—To whom he is likened—His Allegiance—Bad Memories—The Mayor's opinion as to flagrant delict—The Correspondent ratiocinateth evil—He apprehendeth fearful change—He shuddereth and warneth—He maketh out a case for the School Committee—"The School for Fathers"—He adviseth a Declaratory Law—An afflictive event—The gods and Mr. Webster's wine—The reason?—Mr. Webster teareth himself from the "Constitution"—"The pity of it!"—Forefathers' Day fitly celebrated at Plymouth—The Speakers—Mr. Thompson's Reception—The crowd—Hospitality of Plymouth—&c., &c., &c.*

BOSTON, Dec. 23d, 1850.

I see that in the last *Standard* you copied an account of our appearance last week before "the Great and Terrible Lord Mayor," as Dickens, with fit awe and reverence, denominates the Supreme Ruler of the City of London, that we might attempt to obtain, by approximation, at least, an answer to the question, "who was to blame for the Faneuil Hall riot at the Meeting for the Reception of Mr. Thompson? The success we met with in that perquisition the report you gave sufficiently set forth; but there were some things touching nearly the rights and liberties of the inhabitants of the City that sitteth upon three hills, which I think call for a passing notice at the hands of your Correspondent.

It was not settled immediately, by any means, after we entered into the presence of the Municipal Fathers, as to whom the credit of that exploit belonged. It was handed about for some time, as Charles Lamb says, "Grace before Meat" is, from one to another, or as the Little Hunchback was in the Arabian Nights. We stood perfectly impartial and were ready to give the laurel to the most deserving. The City Marshal, with a strategic skill worthy of a Field Marshal, carried the war into the enemy's country, and opened a heavy fire on the invaders of the peace and dignity of the City Hall. To our unspeakable consternation we found that it was *we* ourselves that had raised the riot and were alone responsible for it! The excitement consequent on the attempt to catch the Crafts and the gatherings of the colored people to prevent that measure of peace and compromise were *our* doings, and the Mob was but the Avenging Nemesis which was to chastise us for our hereby and treason! This was shifting the saddle, with a vengeance, only, it unfortunately happened that it was put on *the wrong horse*. The Marshal did us honor overmuch in attributing the existence of that excitement to us. The disinclination of the colored people to being restored into the bosoms of the patriarchs, from which they have eloped like so many prodigal sons, does not owe its origin to us, at all. It is one of those "prejudices" which they have not as yet succeeded in "conquering." The resolution of Craft to have a trial by jury in some shape, should an attempt be made to take him, and which enabled that heroic man to set the whole United States at defiance and finally to put them to flight, as it could not have been shaken, so it was not suggested by any of us. And whatever may have been the merits or demerits of the assemblages which he described, I believe not one of the complainants happened to have anything to do with them. But what if they had? Suppose they had committed murder or arson and were the greatest villains unhanged, as long as they *were* unhanged and in lawful possession of the Hall, I suppose their crimes in any other place would not deprive them of their legal rights in that.

The port and bearing of Marshal Tukey on this important day was in the highest degree resolute and determined. Like the lion quoted in the Bathos,

"He roared so loud and looked so wondrous grim,
His very shadow durst not follow him!"

I think had he faced the mob with half the daring with which he encountered us, we should have had a quiet time in a very few minutes. I think I cannot convey to your mind a more vivid idea of his deportment than by saying that he resembled that Conservator of the Peace of New York, Captain Rynders, with the incidental advantage, or disadvantage (as the case may be), of being *sober*. But, although he had a written discourse of corpulent dimensions, which was unmercifully cut down by the Aldermen, he did not touch the main point, until it was drawn from him by cross-examination, that his masterly inactivity was owing to the explicit directions of the Mayor not to interfere, except in case of actual violence. He expressed his loyal belief in the supremacy of the Mayor over the Laws of the State, and declared that he would not execute a State law, if the dispensing power had been exercised by the sovereign. This was one of the curious developements of that afternoon. Another was the admission, by both the Mayor and the Marshal, that they had forgotten, if they had ever known, that there was a Statute making the disturbance of lawful meetings (not religious) a penal offence. And a third was the *obiter dictum*, or rather the solemn opinion of the Mayor, upon an inspection of the Statute, (in the usual form of penal statutes, that any person disturbing &c., shall be punished by fine or imprisonment) that it contained nothing authorizing the police to arrest the offenders who were breaking it to flinders before their faces!!

Now it appears to me that the experience of that afternoon revealed a state of things calling for instant attention. We have often been told that "eternal vigilance is the price of liberty." We have heard moreover, that "a nation may lose its liberties in a day and not find it out for a century." Lord Byron has also informed us that

"A thousand years scarce serve to form a State;
An hour may lay it in the dust!"

Now, I apprehend, is a critical moment for the liberties of this great city. Its chief magistrate revives the old prerogative of dispensing with laws, which (among other things) cost Charles his head and James his crown. He has a Commander-in-chief under him whose fidelity can be relied upon, and to whose implicit obedience we all can testify. Who knows but that some fine day, we may awake and find ourselves the subjects of despotic power, with the Mayor metamorphosed into a Doge, and Boston transformed into another Venice? Imagine the consternation of the lieges, should they find on entering the Mayor's Room some morning that functionary and his assessors clothed in ermine, presenting the appalling spectacle which has so often struck terror into our hearts upon the stage, in the first act of Othello or the last of Venice Preserved!

"I shudder at the gross idea!"

As Huncamunca, in the Tragedy of Tom Thumb the Great, does at that of *a man*. Perhaps some Brutus or Tell might be raised up to vindicate our violated liberties; but I think a vigilant eye should be kept upon Municipal ambition, to avert the necessity of an appeal to "the higher law" of Tyrannicide.

As to the innocence of the knowledge of the laws of the State, which the Mayor and Marshal confessed, I think it is a case for the consideration of the School Committee. As "*ignorantia legis neminem excusat*," the Authorities of the City ought not to be left in so inexcusable a condition. If we have institutions for the instruction of the children of the City, why not for the Fathers, in case of need? If the Committee will take a fool's advice, I should recommend the establishment of an Evening School for the instruction of the Executive officers of the City in the laws of the land. As to the decision which has upset the old Common Law doctrine, which has come down to us from "the time whereof the memory of man runneth not to the contrary," that any man, much more a peace officer, may arrest a transgessor against the laws *flagrante delicto*, or in the very act of transgression, and bring him before the proper tribunal, I suppose that can only be cured by solemn Statute. I trust that the Free Soilers will signalize the triumph of Truck and Dicker by procuring an enactment that any peace officer, seeing a man committing murder or burglary, or any other act forbidden and punished by law, may arrest and hold him, without the necessity of a formal introduction or a letter of recommendation.

The sympathies of our City were most deeply moved last week by a most affecting event. If the favorite amusement of the gods be indeed to look on and see

"A great man struggling with the storms of Fate,"

how they must have enjoyed that of the sale of Mr Webster's wine, by public outcry! It fell like a thunderbolt on this community. What could be the reason of it? The ostensible one that he proposes to shake off the dust of his feet against this ungrateful State and remove to your City, seems hardly adequate; for I have been assured, on good authority, that they *do* drink wine in New York. That it was a Speculation, is quite as inadmissible. Daniel Webster turned wine merchant! "A question not to be asked." There is an *on dit* floating about, to be sure, that, several years ago, a quantity of wine was bought in the wood and bottled, and then sold at five dollars a bottle, as "Daniel Webster's wine." But I cannot receive any story so palpably apocryphal, as evidence in the case. The most agonizing separation must have been parting with the "Constitution" wine, imported by himself soon after his "New England Speech." It is a perdurable grief that Mr. Webster should have been unable to Defend the "Constitution," which he is so admirably fitted to Expound!

I have just returned from Plymouth; where we had a most triumphant success in our Celebration of Forefathers' Days. The Meeting lasted two days, Saturday and Sunday, and was thronged from beginning to end. Many persons went from Boston and from the surrounding country, and the Green Church, the largest room in the town, was not large enough to contain the great numbers that crowded into it. Messrs. Garrison, Thompson, Phillips, Quincy, Putnam, Whiting, Thomas Russell, Mr. and Mrs. Foster, and others, took part in the discussions On Saturday evening, Mr. Putnam, of Lynn, delivered a poem appropriate to the day, which was received with great applause. All day on Sunday; every sitting and standing place was filled, and in the evening they were fuller than full. When Mr. Thompson [illegible] times three in the most enthusiastic manner. He spoke with great force and beauty for a short time; but was unable to continue at much length on account of indisposition, which had detained him from the meetings during the day. Mr. Phillips, also, made one of his very best speeches last evening. The audience, though crowded almost beyond endurance, was attentive and enthusiastic throughout, and, apparently, would have been content to remain even longer than it was thought expedient, under the circumstances, to detain them. The hospitality of Plymouth was extended to the great numbers of houseless pilgrims, extending far beyond the capacity of the hotels, in a manner that will be always gratefully remembered. It was a good Celebration of a great day.—D. Y

MONSTER LUMP OF ZINC ORE.—An enormous mass of Zinc ore, from the mines of the New Jersey Exploring and Mining Co. Sussex Co. N. J. passed through the City yesterday to the Navy Yard, Brooklyn, to be sent to the great London Exhibition. It is the pure red oxyde of Zinc, which is found no where else in the world but in Sussex County, N. J. The dimensions are five feet long and between three and four feet broad and deep, the weight being 16,400 lbs. or nearly eight tons.

We understand it took a week to bring it over the mountains from the mines to Dover on one of the largest sized trucks, with a twelve-horse team, and in coming down the mountains blocks and tackle, fastened to the trees, were required to hold it back. In coming down from Dover on the Morris and Essex Railroad on Saturday, the car it was on broke down and it did not reach Jersey City till yesterday morning. We rather think it will take the premium at the World's Fair.—*Tribune.*

CALL

To the State

Poetry.

From the Christian Register.

LILIAN.

Bring here thy loom, and lay the warp
All through of gold; with silken thread
In violet, yellow, black and red—
As another, tones upon a harp—
Thou improvisest lovely shapes
And reimbodyest the dead.

My words are very poor and scant:
But thou within thy magic loom
Wilt give them meaning, strength and bloom—
And the tale I tell shall have no want—
Pictured in fadeless sun and gloom.

A speck here, journeying to the West
One sees a mount with beetling top—
The very plunge of the wave, when drop
The flashing curls from its sharp white crest

And soon you come to the mountain land,
Where peak o'er penk, in their cloud abodes,
Like Titans now at peace with the gods—
The ancient, beautiful brethren stand.

So calm and sane are they, we know
No more of the babble and strife,
The emptiness and the fret of life.
We are up with them and the world's below;

Above the belts where summer clings;
Where silence ever wakes and broods
Around their wild and vapory hoods,
Low rustling its enchanted wings,—

We listen through their clinging mist
For hymns in calm, pure childhood heard—
Old hymns of faith, from those that guard
The snow and the sacred amethyst.

Thou dost not feel their music cease,
When at thy feet some little bloom
Smiles suddenly from covert gloom,
And minds thee of a lowlier peace.

Those threaded sunbeams of the wood,
The wildering rivulets merrily
Kiss thine intruding feet and flee—
As careless of thy higher mood.

Gold green the blessed vallies lie,
By giant shadows now embraced—
And now with sunbeams interlaced,
And panting 'neath the happy sky.

If here and there the smoke upcurls,
It witnesses of some warm hearth
Where nestle human loves and mirth,
Grey eld, and sunny boys and girls.

Among those regions fair and dread,
A fallen trunk's majestic beam
Bridges a granite-walled stream
An hundred feet above its bed.

So brief the space from ledge to ledge,
Only the mid day sun can send
An arrow that its depth may rend,
And three steps on the sturdy bridge
Will measure it from end to end.

A maiden on a summer even
Stood there above the rivulet's flow,
And looked into the depth below,
And up the hollow sphere of heaven—
As if to measure some great woe.

Her birth-place, circled with soft air,
Lay many leagues away—her kin,
Her mother of a darker skin,
Who called, in pride of her fair hair,
The pretty maiden, Lilian

Her history none knew—nor he
Who loved her, guessed what shadow dread
Darkened the fair, beloved head;
From bondage she had strength to flee—
Its sickening fear she had not fled.

Forgive her that she did not clear
Her soul of the great weight it bore,
And for its silence ached the more—
The heart made weak with earthly fear,
Love cannot teach it all its lore.

At length, the ill fore-shadowed came,
And hope called home its latest beam;
She caught one day the evil gleam
Of eyes—she knew those eyes—the same
That turned to nightmare, childhood's dream.

Was't strange that thoughts of death filled then
Her soul? that day with free, calm pace,
She turned her from the trysting place,
At night—(what wonder yet again—
Is death the darkest thing to face?)

And wending homeward through the even,
She stopped above the rivulet's flow—
And looked into the dark below,
And up the empty, silent heaven,
And could not measure her great woe.

The waters kept their pleasant din:
From peopled wastes and wilds untrod,
And brightly over love's abode,
The beauteous day shut softly in—
Like a great passion flower of God.

She said—"I thought this world so wide!
With room for every hope inwrought
Here with the life—love—freedom—aught
To lesser creatures not denied!
Simply, I knew not what I thought.

When the owl leaves his hollow tree,
He oft times captures on the wing
Some poor, belated, panting thing—
A little thrush perhaps, that free,
Fares homeward mid June's blossoming.

I envy, God, that little thrush;
He is not hated of his kind—
I envy him his free born mind,
And last, his home foregone—the hush
Of absence that he leaves behind.

When with my love, I sought the fall
But now—and clear o'er wave and bird,
His low, assuring speech I heard—
I thought that I would tell him all,
For love is better than its word.

But no—God—no—for as I live
'T were death—soul's death—to watch, alone,
The gradual change come darkening down—
How tell him that I sought to give
To him, what never was my own?

But now, if from his path, at length,
I glide like last night's pleasant dream,
Which could not wait the morning's beam—
Though memory has its bitter strength,
The sweet too stays to comfort him.

God pardon me my selfish heart!
But is it not best then to be
A clear strain gone—a memory
Of good, alloyed not—as thou art,
Bird, to home watchers in the tree?

'T were good then when to-morrow's sun
Comes with its slow inspiring on,

A sweet want in the heart of one,
A silence through the waking dawn.

Yonder, great Heaven, men wait to bind
These limbs with chains; the night birda roam
To drag the poor way-farer home;
'Tis well! they are not of my kind,
For I am human—let them come!

* * * * * * *

The jubilant waters far below,
Went harping over twig and stone,
And roots with black moss overgrown—
One scarce had noticed in their flow
A slightly changed and muffled tone.

One only, who forbidden still
To follow her, said, in heart play,
"I will haste round the longer way,
And while obedient, have my will
And see her once again to day."

He waited long beside her door—
Then said, "her foot is swift and light;
An hour ago—if I read right—
She passed this happy threshold o'er,"
He stooped and kissed it neath the night.

And laughing at his vigil vain—
And thinking when the sun's gold edge
Should ripple o'er the eastern ridge
Of clouds, they two would meet again,—
He loitered homeward by the bridge.

There list'ning—"is it mists of night
That break thy murmur to thy ear'
Or pauss't thou, shuddering with some fear,
Or burthened with a new delight,
Dear stream, thy voice is not so clear.

Perhaps, through wood and rocky reach
A spirit of the wave, thy bride,
Runs softly wimpling to thy side,
And thou, confused in thy speech,
For painful joy, dost talk so wide.

When love with love makes God's pure day,
A light for every coming year,
Each thing to hope and fancy dear
Comes double laden—or, best say,
Is half a joy and half a fear.

So feeble are we! and the fair,
Sweet presence that within us sings,
The hour that like concentered springs,
Comes freighted with its heavenly air,
Can not forego its heavenly wings."

He, musing as his pathway led
Met comrades from the field's late task—
A happy lover, what can mask?
Not night or silence—Greetings said—
"Your Lilian—she is well?" they ask.

The calm, far starlight healing fell
On scarred trunk and broken ridge,
And seemed to give an answering pledge,
As he replied, "my love is well,
We parted yonder at the bridge."

Nor was he mindful of love's cheats,
Till they had passed; when smiling coy
He thought, "in south, I did not say
Amiss, love still is near,—and meets,
And parts, a thousand times a day."

So passed he homewards—weaving dear
Old dreams and hopes in garlands slight.
What thrilling touches of strange light—
What breaths from some far atmosphere—
World, in thy grand old pause of night!

Spirits, that watch, do you not pray
In the still hours—light come no more!
Shine not upon life's blasted flower,
Let only us see it—who may
See God and earth in the same hour?

Doubt, terror,—the long agony
Of dread suspense,—sore ill to brook!
Until on many a fearful nook
The sun sends in his searching eye,
And looks there till he makes men look.

Believe that there are times so rife
With vital blood—that moments may
With life of countless years grow gray,
And fruitage on the vine of life
Ripen and drop in one brief day.

God keeps us! that is something good,
Whichever way the current run—
Where fate its sorry worst has done,
He leads you to life's marble mood,
Where, torpid, you await the sun.

But, worse than worst—if God unlock
Despair with lightning, you may turn
In vain some kindly rest to earn,—
The soft south wind your pangs will mock,
The very stars will sting and burn.

Bethink thee if thy soul's true mate
Should sudden from thy side be caught,
With last eve's kisses newly fraught.
And darkness overhang his fate,
A mystery that deadened thought;

And doubts that plied at first their wings
In shadow of the twilight grey,
Should wing at last the open day,
And doubts should grow to whisperings
That you had reft that life away;

"O God!" you say, "they left him so
Widowed of all men's love, to grieve
And die!" Nay worse than that! believe
Time's shuttles fly—we scarcely know,
The awful pictures he may weave.

They crippled first his manly strength
With prison air and prison gloom;
And, ere mid winter's frosty bloom;
From chains and judgment bar, at length
They gave him to the felon's doom.

What said he? or what thought? God knows!
A fear—a frightful doubt—ere long
A dread belief of some deep wrong
Done, in the hearts of men arose—
And waxed from day to day more strong.

And then there came from the south land
Sealed, as men say, with dying breath—
Confession as from hell beneath,
That two who waited near at hand
Had seen the wretched maiden's death.

"Gone's gone—lost, lost!" Say you I mar
With sadness life's most heavenly things?
'Tis but the air that sweeps the strings;
You cannot probe the earth mould far
Ere you shall reach her tearful springs.

Dear skilful lady, in whose loom
The breath of natural joy and pain
Is woven as nerves are in the brain,
A crimson gush has rapt our room—
The close of day's triumphant strain!

Is it the coming night-breath wreathed
With phantom dews, that all those wan
Accacia flowerets seems to fan—
Or the living joy through nature breathed
By the infinite hope of man?

Lie not, but let thy heart be true to God;
Thy mouth to it, thy actions to them both.
Cowards tell lies, and those that fear the rod;
The stormy working soul spits lies in froth.
Dare to be true. Nothing can need a lie.
A fault, which needs it most, grows two thereby.

Miscellany.

THE ESCAPE OF QUEEN MARY

FROM LOCHLEVEN CASTLE.

By Agnes Strickland.

The escape of Mary, Queen of Scots, from Lochleven Castle, is one of the most striking passages in the history of female royalty, the time, the place, the beauty and exalted rank of the illustrious heroine, her wrongs and her distress, the chivalry and courage of the gallant spirits who had undertaken to effect her deliverance, the peril of the enterprise and its success, combine all the elements of a romance. Yet the adventure creates a more powerful impression related in the graphic simplicity of truth, as it really befell, than when worked up with imaginary circumstances into a tale of fiction, even by the Magic pen of Scott in the pages of "The Abbot."

The fatal concatenation of events, which had the effect of entangling the royal victim in the toils of her guileful foes, cannot be developed here. The broad outline of the outward and visible facts is familiar to every reader, but to expose the undercurrent to view by documentary evidences, and to make manifest the hidden workings of iniquity, requires a wider field than these brief pages can afford. I must, therefore, refer the public to my long-promised "Life of Mary Stuart," which will shortly appear in my new series of royal female biographies,* based on documentary sources, for particulars which can scarcely fail of removing the obloquy with which mercenary writers, the ready tools of self-interested calumniators, have endeavored to blacken the name of this hapless lady.

The confederate lords into whose hands Mary, confiding in their solemn promises to treat her with all honor and reverence as their sovereign, rashly surrendered herself at Carberry hill, not only shamelessly violated their pact, but after exposing her to the most cruel insults from the very abjects of the people, incarcerated her in the gloomy fortress of Lochleven, under the jailorship of the mother of her illegitimate brother, the Earl of Murray, and the wardership of the sons that person had had by her late husband Sir Robert Douglass, of Lochleven, for the Lady of Lochleven was a married woman when the Earl of Murry was born.†

It is scarcely possible to imagine a more doleful abiding place for the fallen queen, in her affliction, than that which had been thus injuriously and by a refinement of malice, selected for her by her perfidious foes. The castle, which is of extreme antiquity, said indeed to have been founded by Congal, a Pictish king, is of rude architecture, consisting of a square donjon keep flanked with turrets and encompassed with a rampart; it is built on a small island, almost in the centre of the wild expanse of the deep and oft-times stormy waters of the loch, which is fifteen miles in circumference. The castle island consists of five acres, now overgrown with trees and brushwood. In the midst of this desolation tradition points out one ancient stem, of fantastic growth, said to have been planted by the royal captive as a memorial of her compulsory residence in the castle.—The bows of this tree, which is called "Queen Mary's Thorn," nae constantly broken and carried away as relics by the visitors, whom the interest attached to the memory of that unhappy princess attracts to the spot, which her sufferings have rendered an historic site of melancholy celebrity.

The events of the long dreary months which Mary wore away in this wave-encircled prison-house, bereft of regal state, deprived of exercise and recreation, and excluded from every friend save her two faithful ladies, and a little maiden of ten years old, the voluntary companions of her durance, as well as the occupations wherewith she endeavored to beguile her sorrowful hours, will be found fully detailed in my biography of that unfortunate queen, with many recently discovered facts.

Toward the end of March, George Douglas, the youngest son of the Lady of Lochleven, whose manly heart had been touched with generous sympathy, or, as some assert, with a deep and enduring passion for his ill-fated sovereign, made a bold and almost successful attempt to convey her out of the castle, in the disguise of a laundress. The Queen, however, being identified by the whiteness and delicacy of her hands, which she had raised to repel one of the rude boatmen, who endeavored to remove her hood and muffler to get sight of her face, she was brought back, and George Douglas was expelled from the castle with disgrace. But, though banished from his house, he lurked concealed in the adjacent village, where he had friends and confederates, and, doubtless inspired many an honest burgher and peasant with sympathy for the wrongs of their captive sovereign, by his description of the harsh restraint to which she was subjected within the grim fortress of Lochleven. At Kinross he was joined by the faithful John Beton, and other devoted servants of the queen, who were associated for the emancipation of their royal mistress, and had long been lurking, in various disguises, among the western Lomonds, to watch for a favorable opportunity of effecting their object.

Douglas had left, withal, an able coadjutor within the castle, a boy of tender years, of mysterious parentage, and humble vocation, who was destined to act the part of the mouse in Æsop's beautiful fable. This unsuspected confederate was a youth of fifteen, who waited on the Lady of Lochleven in the capacity of page. He is known in history by the names of Willie Douglas, and little Douglas; in the castle he was called the Lad Willie, the Orphan Willie, and the Foundling Willie,‡ for he was found, when a babe, at the castle gates. Home, of Godscroft, says, "He was the natural brother of George Douglas,"§ a statement perfectly reconcileable with the story of his first introduction into the family of the Laird of Lochleven. Such incidents are not of unfrequent occurrence in the daily romance of life, and often has it happened that the appeal made to the parental feelings of a profligate seducer, in behalf of a guiltless child of sin and sorrow, has awakened feminine compassion in the bosom of the injured wife, and the forlorn stranger has received a home and nurture through her charity. This appears to have been the case with regard to Little Willie and the Lady of Lochleven; for whether she suspected his connection with the laird her husband or not, he was taken in, and brought up under her auspices, and as attendant on her person. Frail as she had been in her youth, and cruel and vindictive in her treatment of the lawful daughther of her royal seducer, whom it irked her pride to consider as her sovereign, it is nevertheless pleasant to trace out the evidence of some good in the harsh Lady of Lochleven.

The Foundling Willie remained in the castle, after the death of the old laird, an orphan dependent in the family, but his subsequent actions prove that he had received the education of a gentleman; for not only could he read and write, but he understood enough of French and other languages to be sent on secret missions to foreign princes. To these acquirements Willie added courage, firmness, and address, seldom paralleled in one of his tender years.

There is not any circumstances in the course of Mary Stuart's career more striking than the fact that, in this dark epoch of her life, when deprived of all the attributes of royalty, oppressed, calumniated, and imprisoned, two friends like George and Willie Douglas should have been raised up for her in the family of her deadliest foes. The regent and his confederates, men whose hands had been soiled with English gold, had not calculated on the existence of the chivalric feelings which animated those young hearts with the determination of effecting the liberation of their captive queen.

"Mary being deprived of pen and ink at this time," says her French biographer, Caussin, "wrote her instructions with a piece of charcoal, on her handkerchief, which she employed the boy Willie Douglas to dispach to the Lord Seton." John Beton, who still lay, perdue, among the hills, was the ready bearer of this missive, and arranged everything for the reception and safe conduct of his royal mistress, in case she should be fortunate enough to reach the shore in safety. For many nights he, with Lord Seton, George Douglas, and others, kept watch and ward on the promontory which commanded a view of the castle and the lake, in expectation of being apprized, by signal, that the project was about to be carried into effect.

On Sunday the second evening in May, all things being in readiness, and the family at supper, Willie Douglas, who was waiting on the Lady of Lochleven, contrived, while changing her plate, to drop a napkin over the keys of the castle, (which were always placed beside her during meals,) and having thus enveloped them, succeeded in carrying them off unobserved. Hastening with them to the queen, he conducted her, by a private stair, to the postern, and so to the water-gate of the castle, which he took care to lock after him; and when the boat had gained convenient distance from the shore, flung the keys into the water. These mute memorials of the adventure were found covered with rust when the loch was drained, early in the present century. They are now in the possession of the Earl of Morton, at Dalmahoy House, where I saw them and the rude iron chain which formerly linked them together, but which, being rusted through, fell to pieces when taken out of the water. The Lochleven keys are five in number, large and small, of antique workmanship, and are all carefully enshrined in a casket lined with velvet, and preserved as precious relics by the noble representatives of the chivalric George Douglas.

The boat which Willie the Orphan had adroitly secured for the service of his captive sovereign was that belonging to the castle, and the only medium of communication for the castellan and his *menie* with the shore. Immediate pursuit was therefore almost impossible. The companions of Queen Mary's flight were her faithful attendant Mary Seton, ever near her in the hour of peril, and a little girl of ten years old, of whose safety her majesty appeared tenderly careful, as she led her by the hand. The other damsel a French lady of the name of Quenede, gave a remarkable proof of her personal courage and devotion to her royal mistress; for, not being quick enough to reach the castle gate till it was locked behind the retreating party, she fearlessly leaped out of the window of the queen's apartment into the loch, and swam after the boat till she was received within that little ark in her dripping garments.

Meantime, Lord Seton and his gallant associates, who were anxiously reconnoitering from their eyrie the progress of the little bark and its precious freight across the lake, remained in a state of the greatest excitement, not daring to believe that so feeble an instrument as the orphan Willie had succeeded in achieving an exploit which the bravest peers in Scotland might have been proud of having performed, and her own royal kinsmen, the allied Princes of France and Spain, had not ventured to attempt. But all doubts and fears were dispelled when they recognized the stately figure of their Queen, distinguished from the other females by her superior hight, rising in the boat and giving the telegraphic signal of her safety, as previously agreed, by waving her vail, which was white with a crimson border, the royal colors of Scotland. The moment that auspicious ensign was displayed, fifty horsemen who had lain concealed behind the hill, sprang to their saddles, and with Lord Seton at their head, galloped down to the shore, where George Douglas and Beton, with another party of devoted friends, were already waiting to receive and welcome their enfranchised sovereign, as she sprang to the land. The fleetest palfreys that Scotland could supply had long been provided, and concealed by George Douglas's trusty confederates in the village, in anticipation of the success of this enterprise, and were now ready caparisoned for the queen and her ladies. Mary mounted without delay, and, attended by the faithful companions of her perils and escape scoured across the country at fiery speed, without halting till she reached North Queen's Ferry, about twenty miles from Lochleven. Embarking in the common ferry-boat at that port, she and her company crossed the rough waters of the Firth, and landed, tradition says at the ancient wooden pier, which formerly jutted out into the sea, just above the town of South Queen's Ferry. There she was met and welcomed by Lord Claud Hamilton, and fifty cavaliers and other loyal gentlemen, eager to renew their homage and burning to avenge her wrongs.

Lord Seton conducted his royal mistress to his own castle at West Niddry, distant seven miles from South Queen's Ferry, where she partook of his hospitality, and enjoyed the repose of a few hours, after her moonlight flitting. West Niddry now forms part of the fair domain of the Earl of Hopeton. The roofless shell of the stately castle, which afforded the first safe resting-place of the fugitive sovereign, is still in existence. The changes of the last few years have conducted the railroad line between Edinburgh and Glasgow in close proximity to the ruins of the feudal fortress which gave rest and shelter to the royal fugitive after her escape from Lochleven. The gray mouldering pile, in its lonely desolation, arrests for a moment the attention of the musing moralist or antiquarian among the passengers in the trains that thunder onward to their appointed goal through solitudes that recall high and chivalric visions of the past. But Niddry Castle should be visited in a quiet hour by the historical pilgrim, who would retrace in fancy the last bright scene of Mary Stuart's life, when, notwithstanding the forced abdication which had transferred the regal diadem of Scotland to the unconscious brow of her baby-boy, she stood a queen once more among the only true nobles of her realm, those whom English gold had not corrupted, nor successful traitors daunted.

One window in Niddry Castle was, within the memory of many persons in the neighborhood, surmounted with the royal arms of Scotland, together with a stone entableture, which, though broken, is still in existence, in the orchard of the adjacent grange, inscribed in ancient letters with the day of the month and the day of the year, and even the age of George, Lord of Seton, at the memorable epoch of his life when the beauteous majesty of Scotland, whom he had so honorable a share in emancipating from her cruel bondage, slept beneath his roof in safety.

Lord Seton had been an old and faithful servant of his Queen. He was the master of the royal household, and had been present at her nuptials with the beloved husband of her youth, King Francis II. of France. On her return to Scotland, after the death of that sovereign, Mary offered to advance Seton to the dignity of an earldom, but being the premier Baron in Parliament, he refused to be the puisne Earl, giving humble thanks to Her Majesty for her proffered grace at the same time. Mary then wrote the following extempore distich in Latin and also in French:

"Sunt comites ducesque denique reges;
Setoni dominum sit satis mihi;"

which, in plain English, may be rendered thus:

"Though Earls and Dukes and even Kings there be,
Yet Seton's noble Lord sufficeth me."

"After that unfortunate battle of Langside, the said George Seton was forced to fly to Flanders, and was there in exile two years, and drove a wagon with four horses for his subsistence. His picture in that condition," adds the quaint, kindred biographer of the noble family of Seton, "I have seen drawn, and lively painted, at the north end of the long gallery in Seton, now overlaid with timber. From Flanders the said Lord George went to Holland, and there endeavored to seduce the two Scots regiments to the Spanish service, upon a design thereby to serve his sovereign the queen, the king of Spain being very much her friend. Which plot of his being revealed, the States of Holland did imprison and condemn him to ride the cannon; but by the friendship and respect the Scotch officers had to him, he was by them set at liberty, notwithstanding this decision of the States."*

Lord Seton outlived these troubles, he was preserved to enjoy the reward of his integrity after those who pursued his life had been successfully summoned to render up an account of the manner in which they had acquired and acquitted themselves of their usurped authority, till all were clean swept away. It is a remarkable fact that the most relentless of the persecutors of their hapless sovereign, Mary Stuart, especially those who for a brief period were the most successful in their ambitious projects, Murray, Lennox, Marr, Lethington, and Morton, all by violent or untimely deaths preceded their royal victim to the tomb.

James VI. testified a grateful sense of the services Lord Seton had rendered to Queen Mary, by preferring him and his sons to the most honorable offices in his gift.

Mary herself rewarded George Douglas to the utmost of her power, in various ways, but above all by facilitating his marriage with a young and beautiful French heiress of high rank, to whom he had formed an attachment, and as his poverty was the only obstacle this alliance, she generously enabled him to make a suitable settlement on his bride out of a portion of her French estates, which she assigned to him for this purpose by deed of gift. "Service like this," as she wrote to her uncle, "ought not to be forgotten."

A simple black marble tablet in the chancel of Edensor Church, to the left of the altar, marks the grave of John Beton, on which a Latin inscription records the fact, "that he died at Chatsworth, in his 34th year, worn out with the fatigues and hardships he had encountered in the service of his royal mistress, adding as his best and proudest epitaph, "that he had assisted in delivering that illustrious princess from her doleful prison in the Laga Laguina." (Lochleven.)

Poetry is the handmaid as well as the inspiration of chivalry, and if ever the deeds of brave and loyal gentlemen deserved to live in song, surely the achievement of the loyal associates who secured their oppressed queen from her cruel captivity in Lochleven Castle, ought to be thus commemorated, and their names had in remembrance long after "the marble that enshrines their mortal remains has perished, and its imagery moldered away."

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* "Lives of the Queens of Scotland, and English Princesses connected with the regal succession of Great Britain."

† See many dispatches from the English envoys resident in Scotland. State Paper Office, from 1584 to 1586.

‡ "Life of Lord Herries," edited by Pitcairne, Abbotsford Club, p. 101.

§ "Life of James Earl of Morton," in the "Lives of the Douglases," p. 302.

* Constitution of the "History of the House of Seytoun, by Alexander, Viscount Kingston. Printed for the Maitland Club."

REVIVALS

[A paper by Thackeray in the last number of "Punch."]

Deeply sensible I am, and ought to be, of the great privilege which I enjoyed a few days ago, of travelling from the Paddington Station to Didcot, in company with the Rev. Ingulphus Crabbe. The Rev. Ingulphus and I were schoolfellows, and though our lots in life have been very different—he being now senior tutor of St. Simeon's, as well as amateur father confessor to the Anglo-Catholic sisterhood of St. Bennett, and the editor (some think author) of those very successful Puseyite novels, *The Pria-Dieu, Secrets of the Oratory*, and *The Stake in the Country, or the Martyrs of Mount Street*—while I—but no matter for that—notwithstanding, I say, the difference in our positions, he is always very affable when we meet, and does not even scruple to converse with me on the present state of the nation, of which his views are, upon the whole, gloomy.

But I never remember to have heard him so very dismal as during our journey on this occasion. He kept drawing the most awful pictures of Infidelity stalking through the length and breadth of our Island, tearing down the raredosses, putting out the candles, refusing to join in the antiphonies, building churches without apses and *piscinæ*—of a latitudinarian clergy, with shirt-collars and whiskers—of the dreadful abandonment by the laity of the wholesome discipline of fasts and floggings—and the general indisposition to auricular confession—until I thought an old lady in the carriage would have gone into hysterics.

"Where is the holy and child-like faith of our ancestors?" he asked. "Who now endows a monastery or settles his property in perpetuity on a chapter? No, sir, nowadays we establish model lodging-houses, and believe in the unintermitting water-supply and pipe-drainage. What has become of the blessed practice of pilgrimages? Instead of them we have excursion trains. In place of praying at the shrine of our Lady of Walsingham, or walking on bare knees round the tomb of the blessed St. Thomas of Canterbury, our artisans are picture-seeing in the galleries of Hampton Court, or going to Southampton and back for three-and-sixpence!"

This was the train in which the Rev. Ingulphus indulged till we shook hands at Didcot; where he left us, and was received by two young *acolytes*, in pale faces, stiff cravats without ties, and long coats, one of whom meekly shouldered his carpet-bag, the work probably of one of the holy sisterhood of St. Bennett aforesaid (for I observed embroidered on it, in the early English style of crochet, a saint, with pointed feet and perpendicular hands, and an inscription in the orthodox and illegible character, familiar to ecclesiologist on monumental brasses): while the other reverently charged himself with the breviary (bound in purple velvet, with *Moyen-age* clasps, and a cross *patinee* on the cover) with which the Rev. Ingulphus had been beguiling so much of his journey as had not been bestowed on the edifying discourse I have described.

After his departure I don't know whether I fell asleep or not, but I certainly had what Christopher Sly calls "an exposition of veneration," which I have no doubt did me much good, and which I will try to describe for the benefit of some of the latitudinarian readers of this publication.

My mind took a retrograde flight, in obedience to the impulse it had received from the Rev. Ingulphus. I felt myself backsliding, if I may say so, from present faiths and feelings, into past beliefs, past royalties, past pietisms.

My first sense was of the iniquity of adherence to the House of Hanover, and a lively impression of the awful sin of the Act of Succession, and the wilful wickedness of the Bill of Rights. I returned to my allegiance, and was at the feet of the Pretender, renouncing "the glorious, pious, and immortal memory," with great unction. Of course my religious creed changed with my political. I made a tremendous effort to stick fast at the High Tory, Tantivy, Church and King Protestantism of Juxon and Laud—but in vain—I was swept back—back into Queen Mary's blessed reign, and found myself shaking hands with Bishop Bonner, as we assisted at the roasting of a batch of heretics, somewhere near the present site of the Victoria Park, and congratulated each other on the prospects of the true faith.

Here I thought I was secure. But impetus backwards was too strong, and (before I had time to take good note of the changes) I had already done duty to Woden, and cooked some scores of British captives *a la panier*, in honor of that fine old Anglo Saxon divinity. But I couldn't stop there either; and the last thing I was conscious of, was making a desperate effort to stick a mistletoe bow into my cap, as I hurrahed a march of original Druids (the leader singularly resembling Lablache in *Oroveso*) round about the gigantic circle of Stonehenge, on our way to a human sacrifice.

Such was the effect on your humble servant of the Reverend Ingulphus's Theory of Developments—in the wrong direction.

AN EXCAVATED VILLAGE.

The correspondent of the *Morning Chronicle*, who has been commissioned to inspect and describe the agricultural classes of France, has begun his work well. It is rumored to be Mr. Augus Reach, a well known contributor to the light literature of *Punch's* school. The following extract shows how the observant eye and pleasant fancy of the novelist may find materials for picturesque description, in the rural by-ways of a foreign land, as well as in the streets of London:

"As you approach Tours, the valley of the Loire contracts, and precipitous limestone banks begin to break the uniformity of the green of pasture, wood, and vineyard. This white and easily-worked rock has been made available, with some ingenuity, for a curious architectural purpose. Wherever the bank is sufficiently perpendicular, it is hollowed and scooped out into cave dwellings, sometimes of several stories. In other instances, the front wall, so to speak, of the houses, has been erected—the cliff itself serving both as a support and as the rearward wall. The chimneys of these fantastic houses are tortuous passages cut in the limestone, the outward orifice appearing like a small black spot, buried, as it were, in clusters of vines, which scramble along and hold on to every projecting table land where a morsel of soil has lodged.

"I made an expedition to, and attentively examined, one of the prettiest of these cave-villages, that of Roche Corbon, about five miles above Tours, on the right bank of the river. The white cliff begins to appear soon after quitting St. Radigonde, the northern suburb of the city; and here and there a caverned house strikes one by the oddity of a glazed window, placed in what appears to be the solid rock. At first, however, the expedient seems principally resorted to with the view of furnishing cellars and hay lofts for the long row of white villas which extend fully three miles from Tours, dotting the steep declivity of the bank, and overlooking gardens of apparently boundless fertility. It is only a close inspection which shows the high walls by which these latter are enclosed; the masses of festooning vines, and the forests of honeysuckle, ivy, and trained fruit trees, dressing them in mantles of green, which completely conceal the rough masonry. The main road lies upon the summit of the great dyke built to keep the 'revolutionary Loire' within proper bounds. Meadows, low and marshy, and frequently overflowed, extend between it and the actual channel of the river; while here and there, where the ground rises in swelling knolls from the water side, it is clothed in forests of walnut trees, in which the people were busy when I passed, securing their harvest. They told me it was a bad year for nuts, as well as for all kinds of fruit; but, notwithstanding, copious showers of produce came rattling down from the branches at every blow administered by men perched up among them, and armed with long poles. The nuts were gathered beneath by women, and carried off in creelfuls, to be sold in Tours.

"The village of La Roche Corbon is marked by a curious old tower, which is perched upon the edge of the highest peak of the cliff above it, and from which the foundations must have been gradually crumbling away; for the structure, which is not unlike a square factory chimney, now actually overhangs the abyss, and will probably soon topple into it. Beneath is the rock-cut village. Leaving the main road, you scramble up one of a series of steep paths between gardens, and reach what may be called the main street of La Roche Corbon—the cottages upon the declivity beneath being constructed upon the lean-to principle against the steep bank, those above being fairly hollowed out of the rock, occasionally faced with masonry, and sometimes approached by flights of steps leading to their grim portals in the stone. The effect is odd and striking in the extreme. Fancy the whole face of the cliff scooped into rooms, and cells, and back-stretching caverned holes. Fancy windows by the score set without any regularity, up and down, here and there, framed in the rock. Fancy outside galleries and ranges of stairs running from ledge to ledge—people now appearing at one black hole in the bank, and anon disappearing at another. Fancy the apertures of dozens of sooty chimneys sending up their thin columns of smoke amid the vines, or from out of the bare face of the stone. Fancy, too, here and there a thin crust of masonry clinging to the rock, where a dwelling of somewhat greater pretensions than the rest has been erected. Then set and frame all this picture in festoons of vines, and flowers, and garden plants. Imagine every plateau of table land, although not a couple of yards square, assiduously cultivated; and every ledge, and the nooks and corners of every crevice and petty ravine, worked up into garden ground, surrounded by fences of loose stone, and vine-draped every one of them. Do all this, and you will have some notion of the curious village of La Roche Corbon.

"I entered several of the houses. Indeed, the people came out when they saw a stranger, and were most hospitable in their entreaties that I should examine their dwellings thoroughly. The perfect cleanliness of these habitations first struck me. Wonderful to say, there was not a dunghill to be seen; possibly there was no room for them, while the steep slope of the bank effectually prevented anything like the lodgment of liquid filth. Almost without exception, the rooms were decently furnished, and kept tidy and neat. In each I generally found a comfortable bed, an old-fashioned highly-polished chest of drawers of nutwood, a fair assortment of substantial chairs, and large chimney-pieces bestriding ample hearths, and crowded with all manner of cheap and gaudy ornaments. The walls were sometimes faced with a thin layer of building stone; occasionally they consisted simply of the rock, furrowed by the marks of the chisel which had scooped the dwelling out. If the room was not large enough to contain two beds, there was generally a second chamber opening to the front. Back rooms, of course, airless and lightless places, were common; but they seemed only to be used as receptacles for lumber, and through them access was usually had to the upper story, when the dwelling boasted one. The means of communication were in most cases a ladder and a trap cut in the roof, through which you squeezed yourself into the upper cave, which was sometimes used as a dwelling place, but more frequently as a granary or hay loft. The people were unanimous in describing their rock houses as being exceedingly healthy. They were, at all events, perfectly dry, and had none of the dank, earthly smell which might have been expected. Each man's dwelling belonged to himself. The people were, almost without an exception, small proprietors. They had patches of vineyards upon the hill, or of corn land in some of the many valleys which ran back at right angles from the river, or a right of pasture in the meadows and wooded land within the dyke. To their occupations as cultivators they also added in a few cases some handicraft, and the women employed themselves in running off the thread from the cocoon of the silk-worm for manufacturers in Tours. Their remuneration for this industry is so small, that they told me they never worked at night, because what they could gain would do no more than pay for the candle light. With their domestic duties to attend to, they could make from five to eight sous per day, from 2 1-2d. to 4d. The quantity of wine about Tours, although not a vintage known to fame, is so great, that in every little country village you are sure to come upon two or three cooperage establishments. The mildness of the climate is shown by these *ateliers* being generally mere sheds, supported upon posts, without any side walls. The store places above the rock cut dwelling houses are frequently crammed with hoops and staves; and I was told that most small vine growers have more or less skill as coopers.

"A noticeable feature in the houses in this part of the country is the immense profusion of cheap and gaudy prints wherewith they are decorated. Some of the walls are a perfect blaze of more or less artistic blue and yellow. The quality of these engravings is much on a par with those sold in Tottenham Court Road on a Saturday night. The subjects are either religious, political, or quasi-historic."

Gleanings from Foreign Publications.

Lord Nugent, M. P., died on the 27th ult., at his seat, Lillies, near Aylesbury, after a short but severe illness. He was born in 1789.

——The *London Athrnæum*, says Miss Martineau, is not the author of the clever papers in the *London Examiner*, entitled "How to Make Home Unhealthy."

——Mr. Disraeli is writing the life of Lord George Bentinck. He has undertaken this literary task at the request of the Duke of Portland.

——A French Bibliophilist.—M. Charles Motteley, an eager bibliophilist, has left a will in which he bequeaths his library to the French nation. He possessed the richest and most numerous collection of Elzevirs, the finest specimens of French and other bindings, and a curious cabinet of rare works, illustrated manuscripts, &c. He had hoped that his collection would be placed in the Louvre, the Tuileries, or the Luxembourg. The collection had been almost secured by Louis Philippe, and recently by the British Museum, which would have paid 300.000 francs for it (£12,000), but it will not go out of France.

——Death of Mr. George Wombwell.—Mr. Wombwell, so celebrated as a proprietor of travelling menageries and zoological collections, died on the 16th inst. of bronchitis, at Northallerton, Yorkshire. He was in his seventy-third year. His enterprise and perseverance had obtained him considerable wealth, and he has long been the largest proprietor of wild animals in the world. He was accustomed to express the wish, that as he had lived so long with his collection, he might be permitted to die with it; with this view he had caused to be fitted up some short time since a new travelling bed-carriage. His menagerie was being exhibited at the time, and an announcement of his death was made by his own request to the spectators; after which the band played the Dead March in *Saul*, and the exhibition closed.

——The Coolies.—Those that I saw were wandering about the streets, dressed rather tastefully, but always meanly, and usually carrying over their shoulder a sort of *chiffonier's* sack, in which they threw whatever refuse stuff they found in the streets or received as charity. Their figures are generally superb; and their eastern costume, to which they adhere as far as their poverty will permit of any clothing, sets off their lithe and graceful forms to great advantage. Their faces are almost uniformly of the finest classic mould, and illuminated by pairs of those dark swimming and propitiatory eyes, which exhaust the language of tenderness and passion at a glance. But they are the most inveterate mendicants on the island. It is said that those brought from the interior of India are faithful and efficient workmen, while those from Calcutta and its vicinity are good for nothing. Those that are prowling about the streets of Spanishtown and Kingston, I presume, were of the latter class, for there is not a planter on the island, it is said, from whom it would be more difficult to get any work than from one of these. They subsist by begging altogether. They are not vicious, nor intemperate, nor troublesome particularly, except as beggars. In that calling they have a pertinacity before which a northern mendicant would grow pale. They will not be denied. They will stand perfectly still and look through a window from the street for a quarter of an hour, if not driven away, with their imploring eyes fixed upon you, like a stricken deer, without saying a word or moving a muscle. They act as if it were no disgrace for them to beg, as if the least indemnification which they are entitled to expect, for the outrage perpetrated upon them in bringing them from their distant homes to this strange land, is a daily supply of their few and cheap necessities, as they call for them. I confess that their begging did not leave upon my mind the impression produced by ordinary mendicancy. They do not look as if they ought to work. I never saw one smile; and, though they shewed no positive suffering, I never saw one look happy. Each face seemed to be constantly telling the unhappy story of their woes, and like fragments of a broken mirror, each reflecting in all its hateful proportions the national outrage of which they are the victims.—*Jamaica in 1850.*